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List of supplementary items proposed for inclusion in the agenda of the seventy-first session of the General Assembly*

1. Observer status for the Conference of Ministers of Justice of the Ibero-American Countries in the General Assembly [item proposed by Guatemala, Honduras, Mexico, Panama, Peru, Portugal, Spain and Uruguay (A/71/191)].

2. Observer status for the International Youth Organization for Ibero-America in the General Assembly [item proposed by Guatemala, Honduras, Mexico, Panama, Peru, Portugal, Spain and Uruguay (A/71/192)].

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Seventy-first session
Item 134 of the provisional agenda*
Programme budget for the biennium 2016-2017

Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, President and judges of the International Residual Mechanism for Criminal Tribunals and judges and ad litem judges of the International Tribunal for the Former Yugoslavia

Report of the Secretary-General

I. Introduction

1. The General Assembly, in paragraph 10 of its resolution 65/258, decided to re-establish a three-year cycle for the review of the conditions of service and compensation for the members of the International Court of Justice and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. The last comprehensive review was conducted in 2013 and presented in a report of the Secretary-General to the General Assembly at its sixty-eighth session (A/68/188). By its decisions 66/556 B, 68/549 A and 69/553 A, the Assembly deferred, ultimately to the seventy-first session, its consideration of the following documents:

(a) Report of the Secretary-General on the comprehensive review of the pension schemes for the members of the International Court of Justice and the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (A/66/617);

(b) Related report of the Advisory Committee on Administrative and Budgetary Questions (A/66/709);

(c) Letter dated 1 February 2012 from the President of the International Court of Justice addressed to the President of the General Assembly (A/66/726);

* A/71/150.

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(d) Report of the Secretary-General on the conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and the International Residual Mechanism for Criminal Tribunals, judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (A/68/188);

(e) Related report of the Advisory Committee on Administrative and Budgetary Questions (A/68/515 and Corr.1).

2. The present report does not refer to the judges and ad litem judges of the International Criminal Tribunal for Rwanda, since the Tribunal closed on 31 December 2015.

3. In order to facilitate consideration of the issues to be reviewed, the present report is structured as follows: section II is devoted to the remuneration of the members of the International Court of Justice, the President and judges of the International Residual Mechanism for Criminal Tribunals and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia; section III focuses on the other conditions of service of those individuals; section IV contains the recommendations of the Secretary-General on the basis of the review; section V indicates the financial implications in respect of those recommendations; and section VI refers to the next comprehensive review.

II. Remuneration

A. Members of the International Court of Justice

4. Article 32 of the Statute of the International Court of Justice provides, inter alia, that each member of the Court shall receive an annual salary (para. 1), and that the salaries and allowances shall be fixed by the General Assembly and may not be decreased during the term of office (para. 5).

5. The emoluments of the members of the Court are sui generis. However, on the occasion of the periodic comprehensive reviews of the emoluments and conditions of service of the members of the Court, information on the net remuneration of senior Secretariat officials, the Chair of the Advisory Committee on Administrative and Budgetary Questions, the Chair and Vice-Chair of the International Civil Service Commission and the members of the Joint Inspection Unit has been provided as a reference point for purposes of comparative assessment. Annex I to the present report illustrates the evolution of emoluments from 2010 to 2016 and compares them with the changes in the remuneration of senior Secretariat officials and that of full-time members of subsidiary bodies of the United Nations. To facilitate comparison, annex II contains a summary of the salaries of an Under-Secretary-General serving in The Hague, the members of the International Court of Justice and the judges of the International Criminal Court in euros and the equivalent in United States dollars at the official United Nations operational rate of exchange for the month concerned.

B. Ad hoc judges of the International Court of Justice

6. Under Article 31 of the Statute of the International Court of Justice, persons chosen by parties to cases before the Court to "take part in the decision on terms of complete equality with their colleagues" (para. 6) are known as ad hoc judges. Under Article 32, paragraph 4, of the Statute, they "shall receive compensation for each day on which they exercise their functions". The compensation of the ad hoc judges was first defined at the time when the original remuneration system of the Permanent Court of International Justice (the predecessor of the International Court of Justice) was established, in 1922; it was then composed of two elements described as a "fee" and a "subsistence payment" and applied pro rata to the days when service was provided to the Court. In order to maintain the requirement of "complete equality" expressed in paragraph 6 of article 31 (as quoted above), with regard to variances created by the "subsistence payment" element and the ad hoc judges' place of residence, the General Assembly decided, in 1980 (resolution 35/220) and in 1985 (resolution 40/257), to redefine the compensation package of the judges of the Court.

7. The Secretary-General recalled that, for the purpose of payments to ad hoc judges, annual salary had been last defined in paragraph 3 of General Assembly resolution 40/257 as follows: ad hoc judges were to be compensated for each day they exercised their functions, one three-hundred-and-sixty-fifth of the sum of the annual base salary and interim cost-of-living supplement payable at the time to a member of the Court (A/61/554, para. 84). Under this definition, the post adjustment system introduced in paragraph 7 of Assembly resolution 61/262 also applies to ad hoc judges.

8. Additional details on the historical background of the determination of the amount of the compensation of the ad hoc judges were presented in the report of the Secretary-General to the General Assembly at its fortieth session (A/C.5/40/32, paras. 35-41).

C. International Tribunal for the Former Yugoslavia

9. By its resolution 827 (1993), the Security Council decided to establish the International Tribunal for the Former Yugoslavia and adopt its statute. Article 13, paragraph 3, of the statute provides that the terms and conditions of service of its judges shall be as they are for the judges of the International Court of Justice.

D. Ad litem judges of the International Tribunal for the Former Yugoslavia

10. Acting under Chapter VII of the Charter of the United Nations, the Security Council decided, by its resolution 1329 (2000), to establish a pool of ad litem judges in the International Tribunal for the Former Yugoslavia.

11. In its resolution 55/249, the General Assembly endorsed the observations and recommendations of the Advisory Committee (see A/55/806, paras. 7-15) on the emoluments for and other conditions of service of the ad litem judges of the International Tribunal for the Former Yugoslavia, indicating that the annual salary

of those individuals should be prorated for length of service. At present, there are no ad litem judges serving in the International Tribunal for the Former Yugoslavia.

E. International Residual Mechanism for Criminal Tribunals

12. The International Residual Mechanism for Criminal Tribunals was established by the Security Council on 22 December 2010 (resolution 1966 (2010)) to carry out a number of essential functions of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia after the completion of their respective mandates. The branch of the Mechanism for the International Criminal Tribunal for Rwanda commenced functioning on 1 July 2012 and the one for the International Tribunal for the Former Yugoslavia on 1 July 2013.

13. The Security Council, in its resolution 1966 (2010), requested the two Tribunals to take all possible measures to expeditiously complete all their remaining work, as provided in the resolution, no later than 31 December 2014, to prepare their closure and to ensure a smooth transition to the Mechanism, including through advance teams in each of the Tribunals. Annexes 1 and 2 to the resolution contain the statute of the International Residual Mechanism for Criminal Tribunals and the transitional arrangements for the Tribunals. Article 8 of the statute of the Mechanism stipulates that the terms and conditions of service of the judges for each day on which they exercise their functions for the Mechanism shall be those of the ad hoc judges of the International Court of Justice. The terms and conditions of service of the President of the Mechanism shall be those of the judges of the International Court of Justice. In the event that the President of the Mechanism were to be elected from among the existing permanent judges of the Tribunals and were to be permitted to maintain his or her existing contractual relationship with the United Nations, his or her original conditions of service would continue to apply (see A/66/709, para. 17).

14. The judges of the Mechanism will only receive remuneration or benefits after they are appointed to exercise their functions within the Mechanism. They will not receive any remuneration or benefits for being on the roster. For every trial and referral within the jurisdiction of the Mechanism, except for cases of contempt, the President will appoint three judges from the roster to compose a Trial Chamber. In all other circumstances, the President shall appoint a single judge from the roster.

F. Common historical background

15. The General Assembly has conducted periodic reviews of the emoluments of the members and ad hoc judges of the International Court of Justice and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, the most recent comprehensive review having been undertaken at its sixty-eighth session (see A/68/188), as requested by the Assembly in paragraph 10 of its resolution 65/258.

16. In paragraph 6 of its resolution 61/262, the General Assembly endorsed the proposal of the Secretary-General contained in his report of 2 November 2006 (A/61/554, para. 80), whereby the annual salaries of the members of the International Court of Justice and the judges and ad litem judges of the two Tribunals would comprise an annual base salary with a corresponding post

adjustment per index point equal to 1 per cent of the net base salary, to which would be applied a post adjustment multiplier for the Netherlands or for the United Republic of Tanzania, as appropriate.

17. The Secretary-General had also proposed that, on the occasion of future revisions to the base salary scale applicable to staff in the Professional and higher categories that are effected through the consolidation of post adjustment multiplier points into the base scale with a corresponding readjustment in the post adjustment multipliers, the annual base salary of the members of the International Court of Justice and the judges and ad litem judges of the Tribunals also be adjusted by the same percentage and at the same time (A/61/554, para. 83).

18. Since the last comprehensive review of this matter, the General Assembly has revised the scale of gross and net salaries for staff in the Professional and higher categories in its resolutions 68/253, 69/251 and 70/244. Accordingly, the annual base salary applicable to the members of the International Court of Justice and the judges of the two Tribunals was revised from $169,098 to $169,419, effective 1 January 2014, from $169,419 to $171,130, effective 1 January 2015, and from $171,130 to $172,978, effective 1 January 2016.

19. For comparison purposes, table 1 below sets out the salaries, including post adjustment, of the members of the International Court of Justice, the judges of the International Tribunal for the Former Yugoslavia and the President of the International Residual Mechanism for Criminal Tribunals, serving in The Hague, in euros, as well as the equivalent in United States dollars at the official United Nations operational rate of exchange for the month concerned.

Table 1

Salaries (including post adjustment) of the members of the International Court of Justice, the judges of the International Tribunal for the Former Yugoslavia and the President of the International Residual Mechanism for Criminal Tribunals for the period from January 2014 to June 2016

Month and year	*Salary (Euros)*	*Salary (United States dollars)*
January 2014	16 459	22 702
February 2014	16 482	22 363
March 2014	16 471	22 533
April 2014	16 463	22 646
May 2014	16 454	22 759
June 2014	16 479	22 420
July 2014	16 480	22 392
August 2014	16 506	22 067
September 2014	16 534	21 784
October 2014	16 600	21 093
November 2014	16 424	20 711
December 2014	16 470	20 613
Total, 2014	**197 823**	**264 082**

Month and year	*Salary (Euros)*	*Salary (United States dollars)*
January 2015	16 149	19 694
February 2015	17 194	19 495
March 2015	16 379	18 382
April 2015	17 283	18 724
May 2015	17 249	19 081
June 2015	17 281	18 824
July 2015	17 033	19 052
August 2015	17 263	18 867
September 2015	17 204	19 352
October 2015	17 217	19 323
November 2015	17 259	18 924
December 2015	17 924	18 967
Total, 2015	**205 435**	**228 687**
January 2016	17 128	18 739
February 2016	17 832	19 489
March 2016	17 550	19 244
April 2016	17 132	19 402
May 2016	17 189	19 489
June 2016	17 223	19 201

III. Other conditions of service

20. The other conditions of service of the members of the International Court of Justice include the special allowance of the President and of the Vice-President when acting as President, the compensation of ad hoc judges, education allowance, survivors' benefits, travel and subsistence regulations and retirement benefits (see annex III).

21. Background on other conditions of service of the members of the Court is provided in the report of the Secretary-General submitted to the General Assembly at its forty-eighth session.[1]

22. In section VIII, paragraph 4, of its resolution 53/214, the General Assembly approved the recommendations of the Advisory Committee on Administrative and Budgetary Questions on, inter alia, the other conditions of service of the judges of the Tribunals. Background on other conditions of service of the judges of the Tribunals is provided in the report of the Secretary-General to the Assembly at its fifty-second session (A/52/520, paras. 19-21). The other conditions of service include the special allowance of the President and of the Vice-President when acting

[1] See A/C.5/48/66, paras. 16-21 on special allowances of the President and of the Vice-President when acting as President; paras. 22 and 23 on compensation of ad hoc judges; and paras. 2431 on the costs of educating children.

as President, the education allowance, survivors' benefits, travel and subsistence regulations and retirement benefits (see annex III).

23. In its resolution 56/285, the General Assembly endorsed the recommendations and observations of the Advisory Committee on the other conditions of service (A/56/7/Add.2, para. 8), in which it reiterated its view that the members of the International Court of Justice should cover the total cost of their participation in the health insurance plans and that the Organization should not have to contribute at all to the cost of their participation.

A. Special allowance of the President and of the Vice-President when acting as President

International Court of Justice

24. Article 32 of the Statute of the Court provides that the President shall receive a special annual allowance (para. 2) and that the Vice-President shall receive a special allowance for each day on which he acts as President (para. 3). As is the case with remuneration, these allowances "shall be fixed by the General Assembly" and "may not be decreased during the term of office" (para. 5).

25. In its resolution 65/258, the General Assembly, noting that the workload of the President of the Court, and that of the Vice-President when acting as President, had increased since 1987 (the last time the allowance was adjusted), decided to increase their special allowance from $15,000 to $25,000 per year and from $94 to $156 per day, respectively.

International Tribunal for the Former Yugoslavia and International Residual Mechanism for Criminal Tribunals

26. The amounts of the special allowance for the Presidents of the Tribunal and the Mechanism, and the special allowance for the Vice-President of the Tribunal when acting as President, are the same as those established for the President and the Vice-President of the International Court of Justice.

B. Assistance with education costs

27. The General Assembly, in paragraph 12 of its resolution 61/262, decided to extend its decision on the level of education grant for the members of the International Court of Justice and the judges of the two Tribunals. The International Civil Service Commission last reviewed the level of the education grant in 2012 (see A/67/30).

28. Background information on the genesis and evolution of the issue of assistance with education costs for members of the International Court of Justice and judges of the Tribunals is provided in reports of the Secretary-General submitted to the General Assembly at its forty-eighth and sixty-fifth sessions (A/C.5/48/66, paras. 24-29, and A/65/134, paras. 19-20 and 74-79).

29. In his last review (A/65/134, para. 79), the Secretary-General proposed extending the education allowance entitlement to the eligible ad litem judges who have served for a continuous period of more than three years. The General

Assembly, however, in its resolution 65/258, endorsed the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/65/533, para. 40), which recommended against this proposal, arguing that the terms of the letters of appointment signed by ad litem judges remained binding, meaning that the extension of the terms of office of the ad litem judges did not give rise to any additional entitlements or benefits other than those which already existed.

30. The ad litem judges of the Tribunals do not get assistance with education costs.

C. Survivors' benefit

31. Concerning the establishment of a survivors' lump-sum benefit in the event of the death of serving members of the International Court of Justice, the General Assembly, in its resolution 40/257 C, approved the recommendation of the Advisory Committee to establish, in addition to the existing pension scheme, a death-benefit scheme for the members of the International Court of Justice. Under the provisions adopted by the Assembly, survivors of members of the Court who die while in office are compensated in the form of a lump-sum payment equivalent to one month of salary for each year of service, subject to a minimum of three months and a maximum of nine months of salary. This lump-sum benefit is distinct from the applicable survivors' pension benefits.

32. Concerning the establishment of a survivors' lump-sum benefit in the event of the death of serving judges of the Tribunals, the General Assembly, based on its consideration of the note by the Secretary-General (A/C.5/54/30), approved the recommendations of the Advisory Committee and established a lump-sum benefit whereby survivors of the judges would be compensated in the form of a lump-sum equivalent to one month of base salary for each year of service, subject to a minimum of one month and a maximum of four months (resolution 54/240 A, para. 7). This lump-sum benefit is distinct from the applicable survivors' pension benefits.

D. Travel and subsistence regulations

33. In its resolution 37/240, the General Assembly approved the travel and subsistence regulations of the International Court of Justice. In section VIII, paragraph 5, of its resolution 53/214, the Assembly also approved the travel and subsistence regulations for the judges of the International Tribunal for the Former Yugoslavia contained in annex III to the report of the Secretary-General (A/52/520).

34. More background information on the issues of travel and subsistence allowances for members of the International Court of Justice and judges of the Tribunals is provided in the report of the Secretary-General submitted to the General Assembly at its sixty-fifth session (A/65/134, paras. 26-28, 80 and 81).

E. Relocation allowance

35. Background information on the genesis and evolution of the relocation allowance payable to members of the International Court of Justice and judges of the two Tribunals is provided in the report of the Secretary-General submitted to the General Assembly at its sixty-fifth session (A/65/134 and Corr.1).

36. In its resolution 65/258, the General Assembly decided that the relocation allowance benefit received by the judges of the two Tribunals should be the same as that received by the members of the International Court of Justice.

37. Ad litem judges of the Tribunals are not eligible for a relocation allowance.

F. Retirement benefits

38. The General Assembly, in paragraph 5 of its resolution 65/258, decided to review at its sixty-sixth session the pension schemes for the members of the International Court of Justice and the judges of the two Tribunals. The Assembly also stipulated that the review should include options for defined-benefit and defined-contribution pension schemes, as well as a proposal for a mechanism that might be used to determine retirement pension benefits, taking into account acquired pension benefit rights accrued prior to serving in the Court or the Tribunals. The Secretary-General, in compliance with the that request, submitted his report to the Assembly on 16 December 2011 (A/66/617).

39. In the above-mentioned report, the Secretary-General proposed four design options for a pension scheme: defined-benefit, defined-contribution, cash lump-sum through hybrid defined-benefit/defined-contribution, and a two-tiered system of accumulation (the pension scheme currently applied to the members of the International Court of Justice and the judges of the two Tribunals). Based on the actuarial findings of the review, the Secretary-General identified the defined-benefit scheme to be an appropriate retirement benefit scheme for the new members of the Court and for any new judges of the Tribunals. The most favoured application of this scheme would be a linear system of accumulation of 3.7 per cent per year for 18 years of service and nothing thereafter. It was found that this linear approach would bring down the current actuarial cost of the pension entitlement from around 66 per cent to 44 per cent of the judges' base salary. The comments and concerns of the Court regarding the compatibility with its Statute of certain aspects of the proposal were brought to the attention of the President of the General Assembly in a letter dated 1 February 2012 from the President of the International Court of Justice (A/66/726).

40. In its decisions 66/556 B, 68/549 A and 69/553 A, the General Assembly deferred ultimately to the seventy-first session its consideration of the recommendations on the pension schemes for the members of the International Court of Justice and the judges of the two Tribunals, as proposed in reports of the Secretary-General (A/66/617) and the Advisory Committee on Administrative and Budgetary Questions (A/66/709), and in the letter from the President of the International Court of Justice addressed to the President of the General Assembly (A/66/726).

G. Ad litem judges

41. Background information on the genesis and evolution of the status of ad litem judges of the Tribunals and their conditions of service is provided in the reports of the Secretary-General submitted to the General Assembly at its sixty-fourth and sixty-fifth sessions (A/64/635 and Corr.1 and A/65/134 and Corr.1).

42. In its resolution 64/261, the General Assembly decided that the matter of the difference in pension rights between ad litem judges and permanent judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia should be resolved as a priority of the Assembly at the main part of its sixty-fifth session, and requested the Secretary-General to include a comprehensive actuarial study of the cost of extending pensions to the ad litem judges of the two Tribunals in his report requested pursuant to section I, paragraph 8, of Assembly resolution 63/259.

43. In its resolution 65/258, the General Assembly decided to grant a one-time ex gratia payment upon completion of service for ad litem judges of the Tribunals who have served for a continuous period of more than three years, on the basis of the length of time served exceeding those three years, in accordance with the schedule contained in table 2 below.

Table 2
One-time ex gratia payment schedule for ad litem judges of the International Tribunal for the Former Yugoslavia

Term of service (years)	*Months of salary*
< 3	0.000000
4	2.054112
5	4.108225
6	6.162337
7	8.216449
8	10.270562

Note: Payment is prorated by number of months.

IV. Recommendations

A. Remuneration

44. The Secretary-General proposes that no change be effected in the current remuneration system of members of the International Court of Justice, judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the President and judges of the International Residual Mechanism for Criminal Tribunals on the occasion of the present periodic review.

45. The approval by the General Assembly, in its resolution 70/244, of the unified base/floor salary scale structure for staff in the Professional and higher categories, with effect from 1 January 2017, will not have an impact on the salaries of the members of the Court, the judges of the Tribunal, and the President and judges of

the Mechanism. The correlation between the two salary structures is based solely on a movement, rather than a scheme, that is effected through the consolidation of post adjustment multiplier points into the base scale, with a corresponding readjustment in the post adjustment multipliers.

B. Other conditions of service

Special allowance of the Presidents and of the Vice-Presidents when acting as President

46. The Secretary-General proposes that no change be effected in the special annual allowance of the Presidents and Vice-Presidents of the International Court of Justice and the International Tribunal for the Former Yugoslavia and the President of the International Residual Mechanism for Criminal Tribunals on the occasion of the present periodic review.

Education costs

47. The Secretary-General proposes that no change be effected with regard to assistance with education costs for the members of the International Court of Justice, the judges of the International Tribunal for the Former Yugoslavia and the President of the International Residual Mechanism for Criminal Tribunals until the school year in progress on 1 January 2018.

48. The Secretary-General also proposes that the revised education grant scheme for staff members in the Professional and higher categories, adopted by the General Assembly in its resolution 70/244, which is to be introduced as of the school year in progress on 1 January 2018, be extended to the members of the International Court of Justice, the judges of the International Tribunal for the Former Yugoslavia and the President of the International Residual Mechanism for Criminal Tribunals.

Travel and subsistence regulations

49. The Secretary-General proposes that no change be effected in the travel and subsistence regulations in respect of members of the International Court of Justice, the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the President and judges of the International Residual Mechanism for Criminal Tribunals.

Relocation-related elements

50. In line with the new relocation package for staff in the Professional and higher categories, effective from 1 July 2016, which was adopted by the General Assembly in its resolution 70/244, the Secretary-General proposes that the language of the travel and subsistence regulations applicable to the members of the International Court of Justice, the judges of the International Tribunal for the Former Yugoslavia and the President of the International Residual Mechanism for Criminal Tribunals, be updated and that the reference to "assignment grant" be revised to make reference to the "settling-in grant" provisions applicable to senior officials of the Secretariat of the United Nations. The Secretary-General also notes the changes in the entitlement for relocation shipment under the new relocation package approved by the General Assembly in resolution 70/244.

Relocation allowance

51. The Secretary-General proposes that no change be effected in the relocation allowance of the members of the International Court of Justice, the judges of the International Tribunal for the Former Yugoslavia and the President of the International Residual Mechanism for Criminal Tribunals on the occasion of the present periodic review.

Retirement benefits

52. The documents referred to in section III.F of the present report provide the necessary information regarding this item.

V. Financial implications

53. Should the General Assembly approve the recommendation of status quo for the elements contained in paragraphs 44 to 51 above relating to remuneration, the special allowance of the Presidents and of the Vice-Presidents when acting as President, education costs, travel and subsistence regulations and the relocation allowance, no budgetary implications would arise under the programme budget for the biennium 2016-2017.

54. The financial implications regarding the proposals of the Secretary-General on a pension scheme for the members of the International Court of Justice and the judges of the two Tribunals are described in his report of 16 December 2011 (A/66/617, paras. 56-61).

VI. Next comprehensive review

55. In paragraph 10 of its resolution 65/258, the General Assembly decided to re-establish a three-year cycle for the review of the conditions of service and compensation for the members of the International Court of Justice and the judges and ad litem judges of the two Tribunals. The next comprehensive review will be undertaken at the seventy-fourth session of the Assembly.

Annex I

Changes in total annual net remuneration of members of the International Court of Justice, Secretariat officials and members of United Nations bodies from January 2010 to January 2016 and index comparator data from January 2005

(United States dollars, dependency rate)[a]

	2005 (index comparator)	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*2016*
International Court of Justice								
President[b,c]	185 080	283 386	275 953	280 169	287 947	297 426	261 331	249 871
Index	100.0	153.1	149.1	151.4	155.6	160.7	141.2	135.0
Members of the Court[c]	170 080	268 386	250 953	255 169	262 947	272 426	236 331	224 871
Index	100.0	157.8	147.5	150.0	154.6	160.2	139.0	132.2
Senior Secretariat officials								
The Hague								
Under-Secretary-General[d]	202 737	235 787	220 739	224 380	231 098	239 284	208 110	198 214
Index	100.0	114.6	107.3	109.0	112.3	116.3	101.1	96.3
Assistant Secretary-General[e]	185 280	215 594	201 791	205 131	211 292	218 802	190 208	181 131
Index	100.0	114.6	107.3	109.1	112.3	116.3	101.1	96.3
Geneva								
Under-Secretary-General[d]	228 331	267 441	289 436	290 976	300 907	308 201	271 221	274 405
Index	100.0	129.9	140.6	141.4	146.2	149.8	131.8	133.3
Assistant Secretary-General[e]	208 755	244 626	264 800	266 212	275 320	282 012	248 092	251 013
Index	100.0	130.1	140.8	141.5	146.4	149.9	131.9	133.4
New York								
Under-Secretary-General[d]	205 809	239 241	239 263	245 703	245 703	250 405	250 381	250 352
Index	100.0	116.2	116.3	119.4	119.4	121.7	121.7	121.6
Assistant Secretary-General[e]	188 097	218 761	218 781	224 687	224 687	229 001	228 979	228 953
Index	100.0	116.3	116.3	119.5	119.5	121.7	121.7	121.7

	2005 (index comparator)	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*2016*
Full-time members of subsidiary bodies								
Chairman, International Civil Service Commission/ Advisory Committee on Administrative and Budgetary Questions[f]	189 077	215 545	217 600	224 833	225 162	225 571	227 748	230 100
Index	100.0	114.0	115.1	118.9	119.1	119.3	120.5	121.7
Vice-Chairman, International Civil Service Commission	179 077	205 545	207 600	214 833	215 162	215 571	217 748	220 100
Index	100.0	114.8	115.9	120.0	120.2	120.4	121.6	122.9
Members of the Joint Inspection Unit, Geneva	182 266	214 044	231 914	233 165	241 234	247 160	217 114	219 701
Index	100.0	117.4	127.2	127.9	132.4	135.6	119.1	120.5

[a] For the salaries paid in currencies other than United States dollars, the corresponding currency exchange rate for January of each year has been applied in this table.

[b] Includes a special allowance of $15,000 per year in 2010 and of $25,000 per year from 2011 and on.

[c] In accordance with General Assembly resolution 61/262, effective 1 January 2007, the salary of the members of the International Court of Justice comprises an annual base salary with a corresponding post adjustment per index point equal to 1 per cent of the net base salary to which the post adjustment multiplier for the Netherlands applies.

[d] Includes a representation allowance of $4,000 per year.

[e] Includes a representation allowance of $3,000 per year.

[f] Includes a special allowance of $10,000 per year.

Annex II

Salaries of senior officials in The Hague[a]

	Under-Secretary-General[b]		*Judge of the International Court of Justice*		*Judge of the International Criminal Court*	
	Euros	*United States dollars*	*Euros*	*United States dollars*	*Euros*	*United States dollars*
January 2014	14 215	19 607	16 459	22 702	15 000	20 690
February 2014	14 235	19 314	16 482	22 363	15 000	20 353
March 2014	14 226	19 461	16 471	22 533	15 000	20 520
April 2014	14 219	19 558	16 463	22 646	15 000	20 633
May 2014	14 211	19 656	16 454	22 759	15 000	20 747
June 2014	14 232	19 363	16 479	22 420	15 000	20 408
July 2014	14 233	19 339	16 480	22 392	15 000	20 380
August 2014	14 256	19 058	16 506	22 067	15 000	20 053
September 2014	14 280	18 814	16 534	21 784	15 000	19 763
October 2014	14 337	18 217	16 600	21 093	15 000	19 060
November 2014	14 185	17 888	16 424	20 711	15 000	18 916
December 2014	14 224	17 802	16 470	20 613	15 000	18 773
Total, 2014	**170 852**	**228 078**	**197 823**	**264 082**	**180 000**	**240 296**
January 2015	13 948	17 009	16 149	19 694	15 000	18 293
February 2015	14 850	16 837	17 194	19 495	15 000	17 007
March 2015	14 146	15 876	16 379	18 382	15 000	16 835
April 2015	14 926	16 172	17 283	18 724	15 000	16 251
May 2015	14 898	16 480	17 249	19 081	15 000	16 593
June 2015	14 925	16 258	17 281	18 824	15 000	16 340
July 2015	14 711	16 455	17 033	19 052	15 000	16 779
August 2015	14 910	16 295	17 263	18 867	15 000	16 393
September 2015	14 858	16 714	17 204	19 352	15 000	16 873
October 2015	14 870	16 689	17 217	19 323	15 000	16 835
November 2015	14 906	16 344	17 259	18 924	15 000	16 447
December 2015	15 480	16 381	17 924	18 967	15 000	15 873
Total, 2015	**177 427**	**197 509**	**205 435**	**228 687**	**180 000**	**200 519**
January 2016	14 793	16 184	17 128	18 739	15 000	16 411
February 2016	15 401	16 832	17 832	19 489	15 000	16 393
March 2016	15 158	16 620	17 550	19 244	15 000	16 447
April 2016	14 797	16 757	17 132	19 402	15 000	16 988
May 2016	14 846	16 832	17 189	19 489	15 000	17 007
June 2016	14 875	16 583	17 223	19 201	15 000	16 722

[a] Total net salaries: base salaries and post adjustment.

[b] At the dependent rate and includes a representation allowance of $4,000 per year.

Annex III

Conditions of service and compensation for the members and ad hoc judges of the International Court of Justice, for the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and for the President and judges of the International Residual Mechanism for Criminal Tribunals[a]

	International Court of Justice		*International Tribunal for the Former Yugoslavia*		*International Residual Mechanism for Criminal Tribunals*	
	Members	*Ad hoc judges*	*Judges*	*Ad litem judges*	*President*	*Judges*
Annual net salary as of January 2016	$224,871 per annum, including post adjustment [January 2016 post adjustment multiplier for the Netherlands = 30]	1/365 of annual net salary per day worked	$224,871 per annum, including post adjustment [January 2016 post adjustment multiplier for the Netherlands = 30]	Same as permanent judges	$224,871 per annum, including post adjustment [January 2016 post adjustment multiplier for the Netherlands = 30]	1/365 of annual net salary per day worked
Special allowance	President: $25,000 per annum Vice-President (when acting as President): $156 per day	Not applicable	President: $25,000 per annum Vice-President (when acting as President): $156 per day	Not applicable	President: $25,000 per annum	Not applicable
Travel expenses	**For resident judges**: Journey for the judge, spouse and recognized dependant(s) upon appointment and termination to/from the seat of the Court from/to his/her home established at the time of appointment. Return journey for the judge, installed spouse and recognized dependant(s) every second calendar year. **For non-resident judges**: A maximum of three return journeys for the judge and one close relative residing with him/her every year, from his/her home at the time of appointment to the seat of the Court to attend sessions of the Court. **For all judges**: Cost of excess baggage is not allowable as an expense unless the excess is necessarily carried for official business reasons.	Return journey of any ad hoc judge, and one close relative residing with him/her, from his/her home to the seat of the Court or the place where the session is held, when the presence of the ad hoc judge is certified by the President of the Court as necessary for official business.	Journey for the judge, spouse and recognized dependant(s) upon appointment and termination to/from the seat of the Tribunals from/to his/her home established at the time of appointment. Return journey for the judge, installed spouse and recognized dependant(s) every second calendar year. Cost of excess baggage is not allowable as an expense unless the excess is necessarily carried for official business reasons.	Same as permanent judges	Journey for the President, spouse and recognized dependant(s) upon appointment and termination to/from the seat of the Tribunal from/to his/her home established at the time of appointment. Return journey for the President, installed spouse and recognized dependant(s) every second calendar year. Cost of excess baggage is not allowable as an expense unless the excess is necessarily carried for official business reasons.	Same as ad hoc judges of the International Court of Justice

	International Court of Justice		*International Tribunal for the Former Yugoslavia*		*International Residual Mechanism for Criminal Tribunals*	
	Members	*Ad hoc judges*	*Judges*	*Ad litem judges*	*President*	*Judges*
Subsistence allowance	Payable under the conditions of standard rates applied to officials of the United Nations Secretariat plus 40 per cent	Not applicable	Payable under the conditions of standard rates applied to officials of the United Nations Secretariat plus 40 per cent	Same as permanent judges	Payable under the conditions of standard rates applied to officials of the United Nations Secretariat plus 40 per cent	Not applicable
Removal expenses	**For resident judges**: Full removal of household goods and personal effects. **For non-resident judges**: Partial removal upon approval by the President of the Court	Not applicable	Full removal of household goods and personal effects	Same as permanent judges	Full removal of household goods and personal effects	Not applicable
Settling-in grant	**For resident judges**: Amount applicable to senior officials of the United Nations. **For non-resident judges**: Up to one half of the amount applicable to senior officials of the United Nations, upon approval by the President of the Court.	Not applicable	Amount applicable to senior officials of the United Nations	Same as permanent judges	Amount applicable to senior officials of the United Nations	Not applicable
Relocation allowance	**For resident judges**: 24 weeks of annual net base salary (for 9 continuous years of service or more) or 18 weeks of annual net base salary (for more than 5 but less than 9 continuous years of service), payable upon completion of service and resettlement outside the Netherlands. For less than 5 continuous years of service, a lump sum prorated on the basis of the ceiling of 18 weeks of annual net base salary. **Entitlement is not applicable to non-resident judges.**	Not applicable	Same as the members of the International Court of Justice	Not applicable	24 weeks of annual net base salary (for 9 continuous years of service or more) or 18 weeks of annual net base salary (for more than 5 but less than 9 continuous years of service), payable upon completion of service and resettlement outside the Netherlands. For less than 5 continuous years of service, a lump sum prorated on the basis of the ceiling of 18 weeks of annual net base salary.	Not applicable
Pension	The normal retirement age is 60. The amount of retirement benefit is 50 per cent of the judge's annual net base salary (excluding post adjustment) prorated for less than 9 years of service (or approximately 0.468 per cent	Not applicable	Same as members of the International Court of Justice, prorated to account for the difference in length in terms of appointment (i.e., 9 years for the Court, 4 years for the International Tribunal for the Former Yugoslavia)	One-time ex gratia payment upon completion of service, when applicable	Same as members of the International Court of Justice, prorated to account for the difference in length in terms of appointment (i.e., 9 years for the Court, 4 years for the International Tribunal for the Former Yugoslavia).	Not applicable

	International Court of Justice		*International Tribunal for the Former Yugoslavia*		*International Residual Mechanism for Criminal Tribunals*	
	Members	*Ad hoc judges*	*Judges*	*Ad litem judges*	*President*	*Judges*
	times net base salary for each of the first 108 completed months) plus 0.154 per cent net base salary for each additional month of service in excess of 108. Maximum 66.67 per cent of final salary. (Minimum of 3 years' service)		(Minimum of 3 years' service)		(Minimum of 3 years' service). If the President were to be elected from among the existing permanent judges of the International Tribunal for the Former Yugoslavia and were permitted to maintain his/her existing contractual relationship with the United Nations, his/her original conditions of service would continue to apply. Therefore, pursuant to Article 32, paragraph 5, of the Statute of the Court, any changes to the pension scheme that would lead to a decrease in pension benefits would not apply.	
Survivor's benefit	50 per cent of the pension benefit or a lump sum, as final settlement, of twice the yearly pension benefit otherwise payable at the time of death	Not applicable	50 per cent of the pension benefit or a lump sum, as final settlement, of twice the yearly pension benefit otherwise payable at the time of death	Not applicable	50 per cent of the pension benefit or a lump sum, as final settlement, of twice the yearly pension benefit otherwise payable at the time of death	Not applicable
Education grant	**For resident judges**: Applicable under the same rules and regulations governing United Nations staff **Not applicable to non-resident judges**	Not applicable	Applicable under the same rules and regulations governing United Nations staff	Not applicable	Applicable under the same rules and regulations governing United Nations staff	Not applicable
Disability	Payment of salary during a period of ill-health or disability that would prevent a member from performing his/her duty during the service period. No liability beyond that point.	Not applicable	Payment of salary during a period of ill-health or disability that would prevent a judge from performing his/her duty during the service period. No liability beyond that point.	Same as permanent judges	Payment of salary during a period of ill-health or disability that would prevent the President from performing his/her duty during the service period. No liability beyond that point.	Not applicable

[a] Including the Secretary-General's proposals in paragraphs 48 and 50.

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Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Repertory of Practice of United Nations Organs and *Repertoire of the Practice of the Security Council*

Report of the Secretary-General

Summary

In conformity with General Assembly resolution 70/117, the report provides an outline of the progress made by the Secretariat since the previous report (A/70/295) in updating the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*. The Assembly is invited to take action in the light of the conclusions drawn in paragraphs 15 and 27.

* A/71/150.

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 70/117. In paragraph 9 of the resolution, the Assembly commended the Secretary-General for the progress made in the preparation of studies for the *Repertory of Practice of United Nations Organs*, including the increased use of the internship programme of the United Nations and further expanded cooperation with academic institutions for that purpose, as well as the progress made towards updating the *Repertoire of the Practice of the Security Council*. In paragraph 10, the Assembly noted with appreciation the contributions made by Member States to the trust fund for the elimination of the backlog in the *Repertory*, as well as the trust fund for the updating of the *Repertoire* and, in paragraph 11, reiterated its call for voluntary contributions to the trust fund for the elimination of the backlog in the *Repertory*, as well as voluntary contributions to the trust fund for the updating of the *Repertoire*, and the sponsoring, on a voluntary basis and with no cost to the United Nations, of associate experts to assist in the updating of the two publications. In paragraph 12, the Assembly called upon the Secretary-General to continue his efforts towards updating the *Repertory* and the *Repertoire* and making them available electronically in all their respective language versions. In paragraph 13, the Assembly noted with concern that the backlog in the preparation of volume III of the *Repertory*, although slightly reduced, had not been eliminated, and called upon the Secretary-General to address that issue effectively and on a priority basis, while commending the Secretary-General for progress made in reducing the backlog. In paragraph 14, the Assembly reiterated the responsibility of the Secretary-General for the quality of the two publications and, with regard to the *Repertoire*, called upon the Secretary-General to continue to follow the modalities outlined in paragraphs 102 to 106 of his report of 18 September 1952 (A/2170). Lastly, in paragraph 15, the Assembly requested the Secretary-General to submit a report on both the *Repertory* and the *Repertoire* to the Assembly at its seventy-first session.

II. *Repertory of Practice of United Nations Organs*

A. Preparation of supplements to the *Repertory*

2. Bearing in mind the call made upon the Secretary-General, in paragraph 13 of General Assembly resolution 70/117, to address effectively and on a priority basis the backlog in the preparation of volume III of the *Repertory*, the Codification Division of the Office of Legal Affairs, acting as coordinator for the preparation of the *Repertory*, sought to significantly reduce that backlog, in particular regarding volume III, Supplements Nos. 7 to 9 (1985-1999). Research and drafting of a study on Article 49 of the Charter of the United Nations for volume III, Supplements Nos. 7 to 9, was accordingly entrusted to a consultant. Furthermore, regarding that volume, the review of studies on Articles 33 (1) and 53, prepared with the assistance of interns in the Codification Division, is well advanced. Single studies for each of the aforementioned provisions of the Charter address the entire period covered by the three supplements, that is, 1985 to 1999.

3. Progress has also been achieved in the preparation of studies for volume III of Supplement No. 10 (2000-2009). During the reporting period, the review of a study on Article 41, previously drafted with the assistance of the Faculty of Law at the

University of Ottawa, and the review of a study on Article 53, prepared with the assistance of a consultant, were undertaken. Furthermore, as is the case for Supplements Nos. 7 to 9, the preparation of a study on Article 49 was entrusted to a consultant. Work also continues in relation to studies on Articles 104 and 105 for volume VI, in preparation in the Office of the Legal Counsel in the Office of Legal Affairs.

4. Consistent with the decision of the Interdepartmental Committee on Charter Repertory, taken in 2015, that Supplement No. 11 would cover the period 2010-2015 (see A/70/295, para. 5), a total of nine studies were prepared as follows: six studies — on Articles 2 (4), 2 (7) and 4 for volume I, on Articles 41 and 42 for volume III, and on Article 96 for volume VI — were researched and drafted with the assistance of the Faculty of Law at the University of Ottawa; a study on Article 13 (1) (a) (provisions relating to the codification and progressive development of international law) for volume II was researched and drafted with the assistance of an intern in the Codification Division, in cooperation with the Division for Ocean Affairs and the Law of the Sea and the International Trade Law Division of the Office of Legal Affairs, as well as the Office for Outer Space Affairs; and two studies on Articles 100 and 101 for volume VI were researched and drafted with the assistance of a consultant in the Office of Human Resources Management.

5. As is customary, the Department of Public Information and the Dag Hammarskjöld Library played an important role in supporting the research on the *Repertory*.

6. During the period under review, with the aim of expediting the preparation of studies for the *Repertory of Practice of United Nations Organs*, the Codification Division of the Office of Legal Affairs, in its capacity as Coordinator for the preparation of the publication, also undertook and completed the review of the *Manual of Preparation of the Studies for the Repertory of Practice of United Nations Organs*. In its current streamlined and updated form, the Manual should serve as a useful guidance tool for Secretariat units bearing primary responsibility for the preparation of *Repertory* studies, as well as consultants, academic institutions and interns called upon to contribute to the preparation of future studies.

7. The current status of the publication is as follows: 28 volumes have been published[1] and 15 have been finalized and submitted for translation and publication.[2] Consequently, from among the 56 volumes of which the publication as a whole (original *Repertory* and Supplements Nos. 1 to 11 thereto) should consist, work remains to be completed on 13, 6 of which pertain to Supplement No. 11 (2010-2015), on which work has begun (see para. 4 above), and 4 to Supplement No. 10 (2000-2009), which are at different stages of preparation (see para. 3 above). The other three volumes on which work remains to be completed correspond to volume III of Supplements Nos. 7 to 9.

[1] *Repertory* and Supplements Nos. 1 to 6 (1946-1984), for a total of 26 volumes, and volumes V and VI of Supplement No. 7 (1985-1988).

[2] Volumes I, II and IV of Supplement No. 7 (1985-1988); volumes I, II, IV, V and VI of Supplements Nos. 8 (1989-1994) and 9 (1995-1999); and volumes I and II of Supplement No. 10 (2000-2009).

8. Annex I to the present report sets out the responsibilities of individual Secretariat units for the preparation of *Repertory* studies on individual Articles of the Charter. Annex II provides information on the status of the *Repertory*.

B. Availability of *Repertory* studies on the Internet

9. Studies from 43 complete volumes, including the 15 volumes in processing for publication, are available on the United Nations website for the *Repertory* (www.un.org/law/repertory). Advance versions of several studies on individual Articles for volume III of Supplements Nos. 7 to 9, as well as a considerable number of studies for Supplement No. 10 that have been finalized and are awaiting completion of the respective volumes, continued to be made accessible on the website. The electronic version of the *Repertory* includes a full-text search feature, providing users with the opportunity to search all the studies instantaneously for any word or combination of words in the three languages of the publication (English, French and Spanish).

10. Currently, all studies available in English are on the Internet, and most of them are also available on the Internet in French and Spanish. Finalized studies awaiting publication are placed on the Internet in the language in which they have been prepared (English for most of them and French for some of them). The Secretariat will continue to make available electronically all three language versions of the finalized *Repertory* studies.

C. Cooperation with academic institutions

11. The well-established cooperation with the Faculty of Law at the University of Ottawa continued for the sixth consecutive year and contributed to the preparation of six studies on Articles 2 (4), 2 (7) and 4 for volume I, Articles 41 and 42 for volume III, and Article 96 for volume VI of Supplement No. 11 (see para. 4 above).

D. Trust fund

12. In its resolution 70/117, the General Assembly reiterated its call for voluntary contributions to the trust fund established pursuant to its resolution 59/44, in order to eliminate the backlog in the *Repertory*. Accordingly, a note verbale was sent to all permanent missions to the United Nations, reminding them of the possibility of making voluntary contributions to the trust fund and inviting them to bring the question of funding for the *Repertory* to the attention of private institutions and individuals that might wish to assist in that regard. The Secretary-General welcomes with appreciation the contribution to the trust fund of $10,000 from Turkey received since the issuance of the previous report on 6 August 2015.

13. During the period under review, a consultant financed through the trust fund was recruited to work on the preparation of studies on Article 49 for volume III of Supplements Nos. 7 to 9 and Supplement No. 10. The further use of consultants for the preparation of studies pertaining to volumes that are nearing completion is envisaged. Additional contributions to the trust fund are strongly encouraged, so as to allow the Secretariat to effectively eliminate the backlog in the *Repertory*.

E. Recommendations of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

14. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization considered the question of the *Repertory* and the *Repertoire* at its session held from 16 to 24 February 2016. In paragraph 78 of its report (A/71/33), the Special Committee recommended, with regard to the *Repertory*, that the General Assembly should commend the Secretary-General for the progress made in the preparation of studies, including the increased use of the internship programme of the United Nations and further expanded cooperation with academic institutions for that purpose; note with appreciation the contributions made by Member States to the trust fund for the elimination of the backlog in the *Repertory*; reiterate its call for voluntary contributions to the trust fund so as to further support the Secretariat in carrying out the effective elimination of that backlog, as well as the sponsoring, on a voluntary basis and with no cost to the United Nations, of associate experts to assist in the updating of the publication; call upon the Secretary-General to continue his efforts towards updating the publication and making it available electronically in all its language versions; note with concern that the backlog in the preparation of volume III of the *Repertory*, although slightly reduced, had not been eliminated, and call upon the Secretary-General to address that issue effectively and on a priority basis, while commending the Secretary-General for progress made in reducing the backlog; and reiterate the responsibility of the Secretary-General for the quality of the *Repertory*.

F. Conclusions

15. **With regard to the Repertory, in the light of the foregoing, the General Assembly may wish:**

(a) **To note the current status of the publication, including the progress made in the preparation of *Repertory* studies and in their posting on the Internet in three languages (English, French and Spanish);**

(b) **To consider the recommendations of the Special Committee (see para. 14 above) concerning the increased use of the internship programme of the United Nations and the further expanded cooperation with academic institutions for the preparation of studies; voluntary contributions to the trust fund for the elimination of the backlog in the *Repertory* so as to further support the Secretariat in carrying out the effective elimination of that backlog; the sponsoring, on a voluntary basis, and at no cost to the United Nations, of associate experts to assist in the updating of the publication; the call upon the Secretary-General to continue his efforts towards updating the publication and making it available electronically in all its language versions, and to continue to address effectively and on a priority basis the elimination of the backlog in volume III of the *Repertory*; and the reiteration of the responsibility of the Secretary-General for the quality of the *Repertory*;**

(c) **To note the progress made towards the elimination of the backlog through the utilization of the trust fund; and to strongly encourage States to make additional contributions to the trust fund.**

III. *Repertoire of the Practice of the Security Council*

A. Mandate and preparation

16. The *Repertoire of the Practice of the Security Council*, originally mandated by the General Assembly in its resolution 686 (VII) of 5 December 1952, continues to provide a record of the evolving practice and procedure of the Security Council in the framework of the Charter of the United Nations and the provisional rules of procedure of the Security Council. Most recently, by its resolution 70/117, the General Assembly called upon the Secretary-General to continue to follow the modalities outlined in paragraphs 102 to 106 of his report dated 18 September 1952 (A/2170).

17. In paragraph 9 of its resolution 70/117, the General Assembly commended the Secretary-General for the progress made towards updating the *Repertoire*. In paragraph 12, the Assembly called upon the Secretary-General to continue his efforts towards updating the *Repertoire* and making it available electronically in all its respective language versions.

18. Pursuant to the mandate provided by the General Assembly, the Secretariat has continued to make progress in the preparation of supplements to the *Repertoire*. In the past year, the Secretariat finalized the drafting of the eighteenth Supplement (2012-2013). All 10 parts of that Supplement have been completed and made available electronically in an advance version on the Security Council website.

19. In 2016, the Secretariat commenced the research for and drafting of the nineteenth Supplement (2014-2015). The Secretariat has finalized the drafting of parts I, IX and X of that Supplement. Part I, on the consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security, has been reviewed and an advance version posted online. The Secretariat has commenced research for parts II and VI, and the drafting of parts III, V and VII. The groundwork for the drafting of the twentieth Supplement (2016-2017) is being carried out systematically by continuously recording the decisions and most contemporary practice of the Security Council in an internal database.

20. The Secretariat has continued to produce the *Repertoire* in an expeditious manner, optimizing the limited resources available. The continuous training of staff, the further development of internal databases, and the systematization of data collection and data analysis have enhanced its ability to prepare the *Repertoire*.

21. Notwithstanding the continued challenges in terms of editing, translating, indexing and publishing the supplements, there has been considerable improvement in those processes, which has enabled different offices within the Secretariat to overcome resource constraints and reduce delays in publication.

B. Availability of *Repertoire* studies on the Internet

22. The Secretariat has continued to post advance versions of drafted supplements on the *Repertoire* section of the Security Council website, allowing access to information as swiftly as possible. In addition, the website contained a broad range of research tools relating to the preparation of the *Repertoire*, such as tables and graphs featuring the mandates of all current peacekeeping operations and field-

based political and peacebuilding missions, the relevant provisions of decisions of the Security Council in relation to cross-cutting agenda items, namely children and armed conflict, women and peace and security, and protection of civilians, as well as the annual "Highlights of Security Council practice". In 2016, the "Highlights of Security Council practice" for 2015 was presented in an interactive format. The tables and graphs enhance the ability of researchers and others interested in the work of the Council to systematically analyse the practice of the Security Council in the above-mentioned areas. The website's search function had been further updated to make it more user-friendly, reliable, accurate and effective.

23. The Secretariat has also continued to provide information in response to questions received directly and through the *Repertoire* section of the Security Council website relating to the current and past practice of the Council and its subsidiary organs. During the reporting period, it responded, in a timely and accurate fashion, to communications and requests for information from Member States, as well as from officials of the United Nations system and staff of other international organizations, non-governmental organizations, students, academic scholars and researchers, and the private sector.

C. Publication in language versions (print and electronic)

24. Pursuant to General Assembly resolution 55/222, the twelfth to sixteenth Supplements (1993-2009) are scheduled to be made available on the *Repertoire* section of the Security Council website in the remaining official languages by the end of 2016. Different offices of the Secretariat continue to make every effort to ensure that the Secretariat is able to post the latest supplements to the *Repertoire* in the six official languages as soon as they are available.

D. Resources

25. The preparation and publication of the *Repertoire*, as well as the maintenance of its website in all official languages, would not have been possible without the continuing support of the General Assembly. At the same time, in an environment of financial constraint, voluntary contributions to the trust fund for the updating of the *Repertoire* remain an important element for sustaining progress on the *Repertoire*, maintaining its website and continuing to improve the accessibility of information about Security Council practice.

26. The infusion of extrabudgetary resources has enabled the Secretariat to retain the services of temporary staff assisting in the preparation of the *Repertoire*. Since the previous report, contributions to the trust fund have been received from China and Turkey. In addition, China and Saudi Arabia have contributed by each sponsoring an associate expert in the Security Council Practices and Charter Research Branch, who made valuable contributions to advancing the work on the *Repertoire*. In order to continue to attain that goal, the Secretary-General invites Member States to continue to support the work of the Secretariat on advancing the *Repertoire* through their voluntary contributions.

E. Conclusions

27. **With respect to the *Repertoire of the Practice of the Security Council*, in the light of the foregoing, and the recommendations made by the Special Committee at its session held from 16 to 24 February 2016, the General Assembly may wish:**

(a) To note the progress made towards updating the *Repertoire*;

(b) To note with appreciation the contributions made by Member States to the trust fund for the updating of the *Repertoire* and to reiterate its call for voluntary contributions to the trust fund in order to allow the Secretariat to maintain the progress achieved in the updating of the *Repertoire* in past years;

(c) To note the continuing efforts to make the *Repertoire* available in electronic form in all official languages on the United Nations website;

(d) To note with appreciation the support that Member States have extended by sponsoring, on a voluntary basis, associate experts to assist in updating the *Repertoire*, and to encourage other Member States in a position to do so to consider providing such assistance.

Annex I

Secretariat units bearing primary responsibility for the preparation of *Repertory* studies on individual Articles of the Charter of the United Nations[a]

Department	*Repertory volume*
Office of Legal Affairs	Volume I: Articles 1 to 7
	Volume II: Articles 13 (1) (a), 18, 19 and 22
	Volume VI: Articles 92 to 99, 102 to 105 and 108 to 111
Department of Political Affairs	Volume II: Articles 10, 12, 13 (1) (a), 14 and 16
	Volume III: Articles 23 to 39 and 107
	Volume V: Articles 73 to 85, 87 and 88
Department of Peacekeeping Operations	Volume III: Articles 40 to 54 and 106
Office for Disarmament Affairs	Volume II: Article 11
Department for General Assembly and Conference Management	Volume II: Articles 9, 15, 20 and 21
	Volume IV: Articles 60, 61, 62 (3) and (4), 65 to 69 and 72
	Volume V: Articles 86 and 89 to 91
Department of Management	Volume II: Article 17
	Volume VI: Articles 100 (1) and 101
Department of Management with Office of Legal Affairs	Volume VI: Article 100 (2)
Department of Economic and Social Affairs	Volume II: Articles 8[b] and 13 (1) (b) and (2)
	Volume IV: Articles 55 (a) and (b), 57 to 59, 62 (1), 63, 64, 70 and 71
Office of the United Nations High Commissioner for Human Rights	Volume II: Article 13 (1) (b)
	Volume IV: Articles 55 (c), 56 and 62 (2)
Office for Outer Space Affairs	Volume II: Article 13 (1) (a)

[a] This distribution is the result of several decisions of the Interdepartmental Committee on Charter Repertory taken at various times since 1996 and is subject to review by the Committee.

[b] The Department of Management (Office of Human Resources Management) is responsible for the preparation of studies on Article 8 for the period up to and including 1996. For the period from 1997 onward, that responsibility falls to the Department of Economic and Social Affairs.

Annex II

Status of the *Repertory of Practice of United Nations Organs* (July 2016)

Volumes published and on the Internet	Volumes submitted for publication and on the Internet	Studies on the Internet (pertaining to volumes not submitted for publication)	Studies in preparation or in review

Note: The organization of studies in volumes, as indicated below, relates to Supplements Nos. 6 to 11, and varies for the original *Repertory* and Supplements Nos. 1 to 5.

		Supplements										
Volumes, Articles	*Original Repertory*	*1*	*2*	*3*	*4*	*5*	*6 1979-1984*	*7 1985-1988*	*8 1989-1994*	*9 1995-1999*	*10 2000-2009*	*11 2010-2015*
Volume I							I	I	I	I	I	
Articles 1, 2 (1) to (3), 2 (5), 2 (6), 3, 5, 6, 7 and 8												
Article 2 (4), 2 (7) and 4												
Volume II							II	II	II	II	II	
Articles 9-12 and 13 (1) (a) (first part of the sentence), 13 (1) (b), 13 (2) and 14 to 22												
Article 13 (1) (a) (second part of the sentence)												
Volume III							III	III	III	III	III	
Articles 23 (1, second phrase) and (2)												
Articles 52 and 54												
Articles 23 (1, first phrase) and (3), 24-32, 33 (2), 34, 35 (General Assembly and Security Council), 36-40, 50 and 51												
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Volume VI							VI	VI	VI	VI	VI	
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Article 96												
Articles 100 and 101												
Articles 104 and 105												

Studies prepared from 1954 to 1980

Studies prepared from 1996 to 2016

Annex III

Status of the *Repertoire of the Practice of the Security Council* (July 2016)

Supplements published and posted on the Internet at www.un.org/en/sc/repertoire/	Advance version available on the Internet	Parts in preparation

A. Status of the completed *Repertoire* supplements

Supplement	*Status*	*Languages*
Original *Repertoire* and Supplements I-IX 1946-1984		English, French
Supplements X (1985-1988) and XI (1989-1992)[a]		Arabic, Chinese, English, French, Russian, Spanish
Supplement XII (1993-1995)		Arabic, Chinese, English, French, Russian, Spanish
Supplement XIII (1996-1999)		Arabic, Chinese, English, French, Russian. Spanish ready for web posting
Supplement XIV (2000-2003)		Arabic, English, Russian. Other languages ready for web posting
Supplement XV (2004-2007)		Arabic, English. Translation into other languages completed
Supplement XVI (2008-2009)		English. Translation into other languages in progress
Supplement XVII (2010-2011)		English
Supplement XVIII (2012-2013)		English

[a] As mandated by the General Assembly in resolution 55/222, these Supplements and future Supplements to the *Repertoire* are to be published in all official languages of the United Nations.

B. Status of the *Repertoire* supplements in preparation

	Parts (procedural and constitutional)									
	I Overview	*II Provisional rules of procedure*	*III Purposes and principles of the Charter*	*IV Relations with other United Nations organs*	*V Functions and powers of the Security Council*	*VI Pacific settlement of disputes*	*VII Actions with respect to breaches of the peace*	*VIII Regional arrangements*	*IX Subsidiary organs: Committees/ other bodies*	*X Subsidiary organs: peacekeeping and peacebuilding*
Supplement XIX (2014-2015)										

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Item 63 (a) of the provisional agenda*
New Partnership for Africa's Development: progress in implementation and international support

Biennial report on the review of the implementation of the commitments made towards Africa's development

Report of the Secretary-General

Summary

The present report, submitted in accordance with General Assembly resolution 66/293, reviews the implementation of commitments made towards Africa's development, highlighting progress, impact and challenges in four thematic areas critical to promote durable peace and sustainable development in the region as well as to the implementation of the 2030 Agenda for Sustainable Development and the Agenda 2063: The Africa We Want of the African Union, namely (a) infrastructure development; (b) trade; (c) a conflict-free Africa; and (d) gender equality and women's empowerment.

On infrastructure development, African Governments and organizations have made progress, with the support of their development partners, in access to infrastructural services, including through cross-border projects. Continued joint efforts are needed to mobilize funding to meet the large infrastructure financing needs, estimated at over $100 billion per year.

On trade, the establishment of free trade areas proceeded, including with the Tripartite Free Trade Area signed in 2015, moving towards continental trade and market integration. Regional integration efforts yielded modest results in intra-African trade owing to high trade costs and supply-side constraints. Developing productive capacities of African least developed countries and structural transformation through industrialization remains a challenge.

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On achieving a conflict-free Africa, in spite of progress in operationalizing the African Peace and Security Architecture and improving governance through the African Peer Review Mechanism, challenges include lack of adequate funding for peace operations and institutional capacity to monitor, detect and curtail illicit financial flows from Africa.

On gender equality and women's empowerment, significant results were achieved in education, health and political participation owing to major legislative reforms. However, challenges remain in women's economic empowerment and human rights violations, with persistent gender disparities, violence against women and inadequate participation by women in peace processes.

Two major challenges emerge. The first of these is lack of adequate financial support for African countries to close the financial gap for infrastructural development, provide adequate trade finance to stimulate African exports, support peace operations and allocate resources for the principal gender equality and women's empowerment objectives, including in peace and security operations. The second is severe institutional and technical capacity constraints not only at country level, but also in the African Union and the regional economic communities, to undertake effective implementation in all four thematic areas.

I. Introduction

1. Following the adoption of the political declaration on Africa's development needs at the high-level meeting of the General Assembly, held in September 2008 (resolution 63/1), the Assembly adopted resolution 66/293 by which it established a United Nations monitoring mechanism to review commitments made towards Africa's development and requested the Secretary-General to submit a biennial report thereon. In the same resolution, the Assembly designated the Office of the Special Adviser on Africa as the secretariat for the biennial review in the context of its agenda item on the development of Africa, in coordination with relevant entities of the United Nations system, including the Economic Commission for Africa (ECA), the Department of Public Information and other regional and international organizations and monitoring mechanisms. In operationalizing the mechanism, the Office of the Special Adviser drew on the reinforced role of the Interdepartmental Task Force on African Affairs to ensure coherence and coordination.

2. The present report is the second biennial report and has been prepared against the backdrop of the adoption in 2015 of major policy frameworks that will have a significant impact on Africa's development, peace and security, including Agenda 2063: The Africa We Want of the African Union and its first 10-year implementation plan (2014-2023); the Sendai Framework for Disaster Risk Reduction 2015-2030; the Addis Ababa Action Agenda of the Third International Conference on Financing for Development; the 2030 Agenda for Sustainable Development; and the Paris Agreement on climate change.

3. As mandated by the General Assembly in resolution 66/293, the United Nations monitoring mechanism to review commitments made towards Africa's development is anchored in the principles of mutual accountability and partnership. It focuses on the implementation of multilateral commitments made by Africa's traditional and new and emerging development partners and by African countries, arising from, inter alia, major United Nations conferences and summits in the economic, social and related fields and summits with Africa's partners, including the Group of Seven (G-7), the Group of Twenty (G-20), the European Union and bilateral and multilateral partners. Timely fulfilment of commitments is critical for Africa to implement the 2030 Agenda and its ambitious continental framework for development, peace and security, as encapsulated in Agenda 2063 and its first 10-year implementation plan.

II. Process and scope of the report

A. Process

4. Extensive consultations with African stakeholders were held in connection with the preparation of the present report, as mandated by the General Assembly in resolution 66/293. ECA and the African Union Commission were consulted in Addis Ababa on 5 and 6 October 2015; members of the Development Assistance Committee of the Organization for Economic Co-operation and Development (OECD-DAC) and the OECD were consulted in Paris on 23 and 24 November 2015; and new and emerging development partners in collaboration with the Economic

and Social Commission for Asia and the Pacific (ESCAP) were consulted in Bangkok on 8 and 9 December 2015.

5. Consultative meetings were complemented by a comprehensive questionnaire-based survey of key stakeholders, consisting of Member States, academia, civil society organizations as well as regional and subregional organizations, seeking the perspectives of recipients on the extent to which commitments were delivered, as well as challenges, outcomes, impacts and further measures needed to implement the commitments.

B. Scope

6. Following consultations, and with endorsement obtained through the Interdepartmental Task Force on African Affairs, four thematic areas were selected: (a) infrastructure development; (b) trade; (c) achieving a conflict-free Africa; and (d) gender equality and women's empowerment. The Task Force sought to align the report with the intergovernmental agendas at both regional and global levels, including Agenda 2063, the strategic frameworks of the African Union and the New Partnership for Africa's Development (NEPAD) for the period 2014-2017, and the 2030 Agenda for Sustainable Development.

7. The four thematic areas to be reviewed in the present report are:

(a) *Infrastructure development*, which is aligned with Goal 4 (transformed economies and job creation) and Goal 10 (world class infrastructure criss-crosses Africa) of the first 10-year implementation plan, while pursuing Sustainable Development Goal 7 (ensure access to affordable, reliable, sustainable and modern energy for all) and Goal 9 (build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation);

(b) *Trade*, which is consistent with the pursuit of Goal 4 and Goal 20 (Africa takes full responsibility for financing its development) of the first 10-year implementation plan, is a central component of Sustainable Development Goal 17 (strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development);

(c) *Achieving a conflict-free Africa*, which is consistent with Goal 13 (peace, security and stability are preserved), Goal 14 (a stable and peaceful Africa) and Goal 15 (a fully functional and operational African Peace and Security Architecture (APSA)) of the first 10-year implementation plan, as well as with Sustainable Development Goal 16 (promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels);

(d) *Gender equality and women's empowerment*, which is addressed by Goal 17 (full gender equality in all spheres of life) of the first 10-year implementation plan as well as Sustainable Development Goal 5 (achieve gender equality and empower all women and girls).

8. These thematic areas were reviewed against the following background:

(a) *Infrastructure development* has received increasing attention owing to the emphasis in Agenda 2063 on its indispensable role in realizing the African Union vision of a prosperous, peaceful and integrated Africa. The spotlight on the

African Union Programme for Infrastructure Development in Africa (PIDA) has begun to mobilize African Governments, organizations, and regional economic communities (RECs), along with development partners, to seek solutions to overcome implementation challenges. The United Nations-African Union partnership on Africa's integration and development agenda for 2017-2027 recognizes infrastructure development as a priority area. With the slowing of the world economy and weaker prospects for raw materials, the mainstay of African exports, maintaining high growth will become more challenging. An Africa-driven push for infrastructure development can help offset this negative trend;

(b) *Trade*, following important milestones in the period 2015-2016, has become particularly relevant owing to its impact on regional integration. First, the signing of the Tripartite Free Trade Area Agreement and the launching of formal negotiations on the Continental Free-Trade Area, to be achieved by the end of 2017, demonstrate collective action among African countries to realize the benefits of sustainable development and regional integration. Second, the agreement on a series of trade initiatives — including the commitment to abolish export subsidies for farm exports — secured at the tenth Ministerial Conference of the World Trade Organization (WTO), held in Nairobi in December 2015, will especially benefit low-income countries;

(c) *Achieving a conflict-free Africa* is fundamental to the foundation of peace and prosperity in the continent, as reflected in the goal of "silencing the guns: prerequisites for realizing a conflict-free Africa by 2020". This goal was reaffirmed in Agenda 2063 and has inspired policies and actions by African Governments, including improving governance, promoting inclusive economic growth and establishing continental and subregional mechanisms for conflict prevention, management and resolution, as well as post-conflict management. International support for these efforts continues to be critical;

(d) *Gender equality and women's empowerment* is a high priority in both Agenda 2063 and the 2030 Agenda, to which African countries contributed through the African Common Position, recognizing that the removal of impediments and disparities that affect African women is crucial for people-centred sustainable development. In launching the first 10-year implementation plan for Agenda 2063, the African Union Commission also designated 2015 as the Year of Women's Empowerment and Development towards Africa's Agenda 2063, and 2016 as the African Year of Human Rights, with a particular focus on the rights of women.

9. To provide continuity and coherence, themes covered in the current report are linked to those covered in the first biennial report (A/69/163). That report covered the strong nexus between trade and industrialization; infrastructure financing and aid for trade, which have important linkages with development financing; achieving a conflict-free Africa, building on governance; and women's economic empowerment, which requires, inter alia, an expansion of their inclusion in agriculture and agribusiness. In examining these four themes, the present report highlights cross-cutting issues, such as youth, governance and the role of the private sector.

III. Assessment and findings on the implementation of key commitments for the four themes

10. This section assesses progress in the implementation of commitments made by African countries and their development partners in the four thematic areas, highlights their impact and identifies challenges. On the basis of the review of the detailed list of commitments made by African countries, OECD-DAC member countries and new and emerging development partners and the review of surveys conducted with relevant stakeholders, 13 commitments were identified for systematic assessment.

11. The present report builds on other existing monitoring mechanisms, including *The Mutual Review of Development Effectiveness in Africa: Promise and Performance 2015*, compiled by ECA and OECD in consultation with the NEPAD Planning and Coordinating Agency, as well as other relevant monitoring mechanisms such as the African Peer Review Mechanism, the World Bank-International Monetary Fund global monitoring reports, the Africa Progress Panel Africa progress reports, the *Development Support Monitor* of the African Monitor, the International Aid Transparency Initiative, various accountability reports issued by the G-7 and the G-20 members on their development commitments towards Africa, and individual monitoring reports by the United Nations and the African Union as part of the implementation of frameworks for the selected themes. Outcomes of the aforementioned three consultative meetings with stakeholders were also reflected.

A. Infrastructure development

12. With many small economies in Africa, one fourth of which are landlocked, the African Union has launched PIDA as the strategic framework for regional infrastructure priorities and for establishing a common agenda for mobilizing resources for infrastructure development across Africa.

Commitment A.1: reform and harmonize national regulatory environments and promote the development of regional infrastructure projects

Implementation

13. Nationally, African Governments adopted reforms to promote private sector participation in infrastructure; facilitate cross-border energy trading; improve transport facilities with the creation of road funds and road agencies, railway concessions, port reforms and multi-country facilitation initiatives; and promote the creation of independent regulators.

14. Regionally, interventions aimed at harmonizing policy, legal and regulatory frameworks were undertaken by RECs. In the last two years, NEPAD led efforts to identify challenges to the implementation of PIDA projects, including lack of capacity for project preparation; weak inter-country coordination mechanisms; non-robust legal, policy and regulatory environments; private sector (dis)engagement; lack of finance; and complexities of pooled funding for multi-country projects.

Impact

15. In spite of regulatory reforms, progress in access to infrastructural services has been slow. African countries trail other developing countries in access to power (30 per cent compared with 70-90 per cent), density of paved roads (34 per cent compared with 50 per cent) and access to improved sanitation (30 per cent compared with 62 per cent). The exception was mobile telephony, with subscriptions rising from 18 to 69.3 per 100 inhabitants over the period 2006-2014. The number of Internet users grew from 3.3 per cent in 2006 to 19 per cent in 2014. In North Africa, 99 per cent of the population has access to electricity. Nearly 80 per cent of those lacking access across sub-Saharan Africa are in rural areas. While 145 million people have gained access to electricity since 2000, Africa is the only region in the world where the number of people living without electricity is rising.[1] Tariffs in Africa are high compared with other developing countries owing to higher costs, small-scale production, inefficient use of resources, lack of competition and deficient price regulations, and privatization has had limited impact on the quantity and price of services.

16. Regarding regional projects, power pools have been established in all subregions with cross-border power trading in Southern and Western Africa. The East African Community (EAC) supported national road agencies to procure consultancy services for roads linking Rwanda and Burundi to the Central Corridor. The common market protocol allows free movement of people, goods, services and capital across the Community's five members: Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania. The Economic Community of West African States (ECOWAS) has further articulated the Regional Infrastructure Development Master Plan and is facilitating the implementation of the Yamoussoukro Decision for air transport liberalization. The Southern African Development Community (SADC) has embarked on an initiative to align national development plans with its Regional Indicative Strategic Development Plan.

Commitment A.2: mobilize increased domestic and external public resources for infrastructure development and help mobilize private sector participation in infrastructure

Implementation

17. In most African countries, domestic public sector resources (tax revenues and user charges) contribute about half of total infrastructure spending. Regional development banks, such as the African Development Bank (AfDB), and the Development Bank of Southern Africa, also provide significant financial support. The Continental Business Network was launched in 2015 to strengthen private sector engagement in priority projects.

18. Partners contributed resources through official development assistance (ODA) from OECD-DAC members and official finance from new and emerging development partners. ODA for Africa's infrastructure increased from $3 billion in 2002 to $11.1 billion in 2013.[2] The European Union-Africa Infrastructure Trust Fund supports regional projects. Among new and emerging development partners,

[1] ECA and OECD, *The Mutual Review of Development Effectiveness in Africa: Promise and Performance 2015*, pp. 16-17.

[2] Ibid., p. 41.

China's significant cumulative infrastructure investments of roughly $35 billion for 400 projects include several resource-financed infrastructure projects, where funding is securitized against future revenue streams from resource extraction.[3]

Impact

19. Regarding total resources for infrastructure development, financial commitments reported by the Infrastructure Consortium for Africa, launched at the Gleneagles Summit of the Group of Eight in 2005 to enhance infrastructure investment, reached $74.5 billion in 2014. Forty-two African Governments provided $43.6 billion (58.5 per cent of the total), including funding by utility companies and subnational governments. Traditional development partners provided $7.9 billion; new and emerging development partners $8.5 billion; multilateral development banks $11 billion; African regional development banks $1.6 billion; and the private sector $2.9 billion. The transport sector received 46 per cent of the commitments, followed by energy (30 per cent) and water (13 per cent).

20. African countries increasingly rely on private sector participation for infrastructure finance. Between 2000 and 2014, 608 projects with private sector participation in infrastructure were implemented in over 90 per cent of African countries, for a total investment of $90 billion.[4] Whereas the telecommunications sector used to account for the largest number of such projects, energy has accounted for 75 per cent of them in Africa in the last five years, with 130 independent power providers operating across sub-Saharan Africa. New private equity investors emerged with 27 funds providing $1.2 billion between 2010 and 2013.[5] Although private participation in infrastructure helps fill part of the funding gap and brings new management practices, over 60 per cent of such participation was by three large countries: Kenya, Nigeria and South Africa.

21. New forms of finance are emerging across Africa. Sixteen African countries tapped the sovereign bond market with issuance increasing from $3 billion in 2009 to $13 billion in 2014.[6] Nine countries issued local currency bonds for infrastructure. Several subnational governments successfully issued bonds, and the largest South African pension fund invested in bonds to finance solar projects. Ethiopia and Rwanda experimented with "diaspora bonds" to mobilize savings. Nevertheless, Africa still faces significant challenges in fully mobilizing the financing needed to meet the infrastructure gap.

Commitment A.3: support bankable project preparation and implementation capacity in African countries

Implementation

22. Shortage of a pipeline of bankable projects constrains infrastructure development in Africa. The High-Level Panel for Infrastructure Investment, set up by the G-20, recommended a more proactive role for multilateral development banks in financing project preparation and thoroughly reviewing existing project

[3] Håvard Halland and others, *Resource Financed Infrastructure: A Discussion on a New Form of Infrastructure Financing* (Washington, D.C., World Bank, 2014).

[4] World Bank Group, Private Participation in Infrastructure Database, available from ppi.worldbank.org.

[5] Ibid.

[6] ECA and OECD, *The Mutual Review*, p. 16.

preparation facilities to restructure them sustainably. Subsequent assessment of those facilities by the Infrastructure Consortium for Africa in 2012 identified 17 core facilities focused on project preparation, such as the important NEPAD Infrastructure Preparation Facility, now in its second phase. However, the Consortium's assessment revealed gaps in project preparation and it recommended more effective and coordinated project preparation facilities to promote public-private partnerships.

23. In response, African countries adopted the Dakar Agenda for Action in 2014 at the Financing Summit for Africa's Infrastructure to mobilize pan-African and global investments for infrastructure development on the continent. AfDB launched Africa50, a continental initiative for implementing projects from feasibility to financial closure to address both infrastructure and project preparation. Africa50 aims to reduce the project development cycle from the current 7-10 years to 3-4 years, thereby reducing the cost of project preparation from 10-12 per cent of the total cost to 5-7 per cent. To date, 20 countries and AfDB have subscribed to an initial aggregate of $830 million in shared capital.

Impact

24. Feasibility studies under PIDA are being undertaken in the energy (Kenya-United Republic of Tanzania-Zambia electricity interconnection) and transport (Central Corridor covering Burundi, the Democratic Republic of the Congo, Rwanda, Uganda and the United Republic of Tanzania) sectors. Lessons learned include the importance of ownership and buy-in by national authorities in regional projects.

25. The third International Conference on Financing for Development, held in Addis Ababa in 2015, established a forum on infrastructure to build and enhance multilateral collaboration to better coordinate among infrastructure actors, including the private sector, to bridge funding and capacity gaps. The Global Infrastructure Forum was organized by key development partners and multilateral development banks on the margins of the Spring Meetings of the International Monetary Fund and the World Bank Group, held in Washington, D.C. in April 2016.

Commitment A.4: promote renewable energy and energy efficiency in African countries

Implementation

26. Africa's response to climate change includes a commitment to reduce greenhouse gas emissions.[7] Forty-two African Governments signed the Secretary-General's Sustainable Energy for All (SE4ALL) initiative, launched in September 2011. The Africa Renewable Energy Initiative was prepared at the African Ministerial Conference on the Environment to harness Africa's huge renewable (hydroelectric, wind, solar and geothermal) energy potential, which is substantially larger than the current and projected power consumption needs of the continent.[8]

[7] Forty-seven African Member States have signed the Paris Agreement on climate change, and two have ratified it.

[8] International Renewable Energy Agency (IRENA), *Africa's Renewable Future: The Path to Sustainable Growth* (Abu Dhabi, 2013).

27. Among African institutions, AfDB established the Sustainable Energy Fund for Africa in 2011 to scale up its engagement in renewable energy and energy efficiency. The Fund comprises the African Renewable Energy Fund, with $200 million of committed capital to support small- to medium-scale projects underwritten by investments from the European Investment Bank, and the Global Energy Efficiency and Renewable Energy Fund. AfDB issued $500 million in green bonds and offered to host the SE4ALL Africa Hub. NEPAD, the African Union Commission, ECA and the Government of Nigeria developed Africa Power Vision as a continental vehicle to increase access to green energy.[9]

28. Development partners provided support, including through the Power Africa initiative, funded by the United States of America and launched in June 2013 to increase electricity access to 60 million new households and businesses. Power Africa launched the Beyond the Grid initiative to unlock investments and growth for off-grid and small-scale renewable energy solutions. Leaders at the G-7 summit in 2015 pledged to accelerate access to renewable energy in Africa. The Global Environment Facility launched a fund to finance low carbon energy assets in developing countries to leverage over $100 million.

Impact

29. South Africa secured 16 deals totalling $4 billion in 2014. Ten other countries negotiated private funding arrangements on solar and wind energy, and hydroelectric power. Kenya reached financial closure on Africa's largest wind farm, costing $779 million. Mainstream Renewable Power, a market developer, created a $1.9 billion pan-African renewable energy platform with a private equity firm. Access to modern and sustainable energy services is being expanded locally through community involvement for renewable energy, including biomass, geothermal, small-hydro, wind and solar energy.[10]

30. The Africa Renewable Energy Initiative is a transformative, Africa-led initiative to meet the climate-resilient energy challenge with additional renewable energy generation of at least 100-300 GW by 2030. The position of African leaders for the establishment of a global partnership to accelerate the energy transformation required to keep global temperature rise to well below 2 degrees Celsius was endorsed by the African Ministerial Conference on the Environment in March 2015 and the African Union Assembly, which called on the Green Climate Fund and all partners to support its operationalization.

31. Several African countries have a favourable ranking on the Global Green Economy Index. In 2014, 5 of the 12 African countries covered — Ethiopia, Kenya, Mauritius, Rwanda and Zambia — were in the top half of the table.[11]

Overall assessment and key challenges

32. Progress in access to infrastructural services and closing the infrastructure gap has been slow. Regionally, NEPAD led efforts to identify and remedy challenges to

[9] See *Africa Power Vision Concept Note and Implementation Plan: From Vision to Action* (NEPAD, 2015), available from www.icafrica.org.

[10] Alliance for Rural Electrification, *Best Practices for Clean Energy Access in Africa* (Eschborn, Germany, 2015).

[11] Jeremy Tamanini and others, *The Global Green Economy Index (GGEI 2014): Measuring National Performance in the Green Economy* (Dual Citizen LLC, 2014).

cross-border PIDA projects in energy and transport. However, international support for the implementation of the Dakar Agenda for Action and for PIDA has been lukewarm, leading to the adoption, at the African Union summit held in June 2015, of a resolution in which leaders requested support for PIDA and the Partnership on Africa's Integration and Development Agenda and recommended that the General Assembly support PIDA concretely.

33. The key challenges are:

(a) *Accelerating the pace of reform*. Many African countries have not been effective in ensuring a transparent investment climate with clear regulations to facilitate private sector participation;

(b) *Closing the financing gap*. About $55 billion in new investments are required annually to achieve universal electricity access by 2030.[12] Total infrastructure investment requirements exceed $100 billion annually. The High Level Panel on Illicit Financial Flows from Africa, chaired by Thabo Mbeki, recommended in its report[13] radically reducing illicit outflows to safeguard resources towards, inter alia, infrastructure development;

(c) *Project preparation and implementation*. More capacity is required to develop and implement pipelines of bankable projects;

(d) *Renewable energy*. Redoubled efforts are needed to capitalize on Africa's huge renewable energy potential.

B. Trade

34. The 2030 Agenda for Sustainable Development and Agenda 2063 recognize trade as an important means and regional integration as a key pillar for achieving sustainable development. African leaders' commitment to regional integration, as encapsulated in the Abuja Treaty, envisaged the establishment of REC-level free trade areas and customs unions on the process of establishing the African Economic Community. To fast-track trade and market integration, African leaders decided to boost intra-African trade and establish a continental free trade area by consolidating REC-level free trade areas by the end of 2017. African leaders committed to improve the business environment, tackle supply-side constraints, and promote industrialization and export diversification regionally and subregionally to spur wider structural transformation. Africa's partners committed to reduce trade-distorting measures and improve access by African least developed countries to their markets.

[12] Vivien Foster and Cecilia Briceño-Garmandia, *Africa's Infrastructure: A Time for Transformation* (Washington, D.C., World Bank, 2010).

[13] *Track it! Stop it! Get it!: Illicit Financial Flows* (Addis Ababa, 2015).

Commitment B.1: promote regional integration through the removal of barriers to intra-African trade and freedom of movement and cooperation mechanisms on trade facilitation[14]

Implementation

35. The Tripartite Free Trade Area Agreement signed in June 2015 brings together the Common Market for Eastern and Southern Africa (COMESA), EAC and SADC, representing 26 countries and about 60 per cent of Africa's gross domestic product (GDP). Its three main pillars are market integration, infrastructure development and industrial development. Other initiatives include the launch of fast-tracked negotiations to finalize the continental free trade area before the end of 2017, the establishment of the ECOWAS customs union and the near-completion of the Arab Maghreb Union free-trade area negotiations. The Economic Community of Central African States (ECCAS) has a free trade area with implementation challenges. NEPAD launched the Move Africa Initiative to reduce costs and increase efficiency in African logistics.

36. Tariffs on intraregional imports were reduced to less than 2 per cent in the Intergovernmental Authority on Development, ECCAS and COMESA; 2.6 per cent in the Arab Maghreb Union; 3.8 per cent in SADC; 5.6 per cent in ECOWAS and 7.4 per cent in the Community of Sahelo-Saharan States,[15] while others worked on removing non-tariff barriers. Trade costs remain high, however, owing to weak infrastructure and non-tariff barriers. A comparative study[16] shows that trade costs in Africa were over 50 per cent higher than in East Asia, potentially affecting corporate investment decisions. Some African countries and development partners have begun to address bottlenecks under the multi-agency Trade Facilitation Support Programme.

37. Among development partners, the European Union launched the Pan-African Programme, with €845 million for the period 2014-2020 to foster Africa's integration. Trade Africa, a partnership between the United States and sub-Saharan Africa, was established to expand Africa's internal, regional and global trade. In 2011, the G-20 announced support for the regional integration agenda, Aid for Trade, and financing of regional infrastructure. The WTO Trade Facilitation Agreement contains provisions for expediting the movement and clearance of goods and the commitment to abolish export subsidies for farm exports secured at the tenth Ministerial Conference of WTO, benefiting low-income countries.

Impact

38. Intra-African exports grew by 58 per cent, from $62 billion in 2010 to $98 billion in 2014. Compared with other developing regions, the share of intraregional exports, which averaged 15 per cent in Africa in the period 2012-2014, is significantly lower than for Asia (57 per cent) and Latin America (25 per cent). Intraregional exports are growing faster than Africa's exports to the rest of the world, with economic diversification taking hold and manufacturing constituting 40

[14] "Trade facilitation" refers to the infrastructure, institutions, regulations, policies, procedures and services that facilitate international trade transactions.

[15] ECA, African Union and AfDB, *Assessing Regional Integration in Africa (ARIA VII): Innovation, Competitiveness and Regional Integration* (Addis Ababa, 2016).

[16] AfDB, "Trade and trade costs in Africa" in *African Development Report 2010: Ports, Logistics, and Trade in Africa* (New York, Oxford University Press, 2010).

per cent of intra-African exports, compared with 21 per cent of its exports elsewhere.[17]

39. While tariffs are decreasing globally, the incidence of non-tariff measures is on the rise. While sanitary, phytosanitary and technical regulations may serve legitimate health and environmental objectives, they raise prices and tend to disproportionately reduce exports from least developed countries given their lack of capacity to comply with requirements. This can be alleviated through increasing transparency, reducing policy divergence and building the capacity to comply with such measures among low-income-country exporters.[18]

40. Gains due to improved trade facilitation could lead to a 7 per cent increase in the share of exports over GDP in Africa. Reduction in trade costs associated with non-tariff measures in SADC countries can generate welfare gains of about $12 billion to its members.[19] Concerns remain that precise commitments on the trade facilitation measures were not complemented by similarly binding commitments on technical and financial assistance.

Commitment B.2: develop policies and business environments to overcome supply-side constraints and for export diversification; support the processing of African agro-produce and industrial raw materials

Implementation

41. According to the World Bank, over 60 per cent of African economies implemented at least one business environment-related reform in the past five years, making it easier to do business, as compared with 33 per cent recorded in 2005. Africa accounts for more than half of the top 20 most improved countries in terms of business regulations worldwide since 2009. African Governments also tackled supply-side and competitiveness problems through national actions and regional initiatives to develop productive capacity through, among others, the Comprehensive African Agriculture Development Programme, which provides the foundations to launch the African Agribusiness and Agro-industries Development Initiative and the Action Plan for the Accelerated Industrial Development of Africa. At the regional level, EAC, SADC and COMESA developed industrial policies to foster economic transformation through industrialization.

42. For its development partners, China committed to implement the "Special Plan on Trade with Africa", consisting of, inter alia, technical support for processing African agro-produce and industrial raw materials. China's investments in special economic zones in Africa provide, inter alia, Chinese experience and technology for industrial development. Aid for Trade commitments to Africa from OECD-DAC members rose from an annual average of $7.9 billion over the period 2002-2005 to $19.3 billion in 2013, with economic infrastructure (53.9 per cent) and building productive capacity, including private sector development (43.3 per cent) making up the largest categories. Between 2006 and 2013, Aid for Trade disbursements to

[17] WTO, *International Trade Statistics 2015* (Geneva, 2015).

[18] United Nations Conference on Trade and Development (UNCTAD), *Non-Tariff Measures to Trade: Economic and Policy Issues for Developing Countries* (UNCTAD/DITC/TAB/2012/1); *Non-Tariff Measures and Regional Integration in the Southern African Development Community* (UNCTAD/DITC/TAB/2014/5); *Trading into Sustainable Development: Trade, Market Access, and the Sustainable Development Goals* (UNCTAD/DITC/TAB/2015/3).

[19] UNCTAD/DITC/TAB/2014/5, p. 22.

Africa reached $97.2 billion (39.4 per cent of the world total), three quarters of which were allocated to sub-Saharan Africa and $10.7 billion to regional programmes.[20]

Impact

43. The value of Africa's merchandise exports rose from $148 billion in 2000 to $630 billion in 2012. With the sharp decline in commodity and oil prices, export values fell by 12 per cent in the period 2013-2014. Consequently, while the value of world exports increased by 24.5 per cent over the period 2010-2014, Africa's exports rose by only 9.3 per cent over the same period, causing a decline in the global share to 3 per cent in 2014. To overcome dependence on commodity exports, African economies have begun to diversify. The share of fuel and mining products in total exports from Africa declined from a high of 70 per cent in 2012 to 63 per cent in 2014. The steady increase in the value of manufactured goods exports, particularly chemicals and automotive parts, which almost doubled between 2010 and 2014 to reach $20 billion,[21] provides encouraging signs that some export diversification is taking place.

44. Africa's services exports increased from $61 billion in 2005 to $103 billion in the period 2014-2015. However, the share of African services exports in world services trade has not increased. During the same period, Africa's services trade deficit increased on average by 9.4 per cent per year. Services value added in Africa rose from 53 per cent in 2006 to 58 per cent in 2014.[22]

45. Foreign direct investment (FDI) is increasingly moving to non-resource sectors. According to the United Nations Conference on Trade and Development (UNCTAD), although concentrated in a few countries, services FDI accounted for almost half of Africa's total stock of FDI, ahead of the manufacturing (21 per cent) and primary sectors (31 per cent). Half of the top 10 investors in Africa were from emerging economies, including China, South Africa and India. China's FDI stock increased more than threefold from 2009 to 2014, as China overtook South Africa as the largest investor from an emerging country in the region.

46. Intra-African investments are trending up, driven by a continuous rise in South African FDI into the continent and by increases of flows from Kenya, Nigeria and Northern African countries since 2008. Between 2009 and 2014, the share of cross-border greenfield investment projects originating from Africa rose to 19 per cent of the total, from less than 10 per cent in the period 2003-2008.

47. Europe continues to be the largest importer of African products, accounting for 36 per cent of total exports, followed by Asia (27 per cent). China is Africa's largest trading partner, with total bilateral trade flows of $222 billion in 2014, followed by Europe and the United States. With the slowdown of China's growth rate, demand for commodities and low commodity prices, trade between China and Africa declined in 2015.

[20] OECD and WTO, *Aid for Trade at a Glance 2015: Reducing Trade Costs for Inclusive, Sustainable Growth* (Paris, 2015).

[21] WTO, *International Trade Statistics 2015*.

[22] World Bank, World Development Indicators database and World Bank and UNCTAD statistics.

Commitment B.3: reduce, with the aim of eliminating, trade-distorting measures, including domestic support and export subsidies, in sectors where these are harmful to African countries' exports; enhance support to African least developed countries through duty-free and quota-free trade preferences

Implementation

48. G-7 and G-20 have repeatedly committed to reduce trade-distorting measures. The 2008 global financial crisis led to a sharp spike in protectionism in early 2009. The slowdown in global growth beginning in 2012 led to further trade protectionism as countries tried to shift the burden of adjustment from domestic to foreign firm investments. Protectionist measures have included anti-dumping and countervailing measures, technical barriers to trade and measures affecting various service sectors.[23]

49. WTO members, especially developing countries, consistently demanded the removal of export subsidies used by developed countries to support agricultural exports. The tenth Ministerial Conference of WTO, held in December 2015, called for all developed countries to eliminate export subsidies by 2018, including farm subsidies, while allowing developing countries, under certain conditions, to provide export subsidies to partially offset the transport, freight and marketing costs of agricultural products.

50. On market access, WTO members agreed at the sixth Ministerial Conference, held in Hong Kong in 2005, that developed-country members and developing-country members that could afford to do so could provide permanent duty-free and quota-free market access for all products originating from least developed countries by 2008. This was reiterated in the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011-2020. Most developed countries implemented duty-free and quota-free market access schemes, at various levels. Under the Everything but Arms initiative, the European Union provides such access to least developed countries while non-least developed countries receive similar treatment under the Generalized System of Preferences. Canada and Japan provide duty-free coverage to 98 per cent of tariff lines while duty-free schemes allowed by the United States under the African Growth and Opportunity Act cover 82.4 per cent of imports from least developed countries. China has extended the zero-tariff treatment to 97 per cent for 31 African countries while India's duty-free access programme was recently extended to 85 per cent of its tariff lines for least developed countries.

Impact

51. Existing preference schemes, including duty-free and quota-free access, have had mixed effects on the exports of African least developed countries. While most low-income African countries have benefited from preferential access to European markets through the Cotonou Agreement and, to a lesser extent, to the United States market through the African Growth and Opportunity Act, accessing export markets remains a challenge. Within manufacturing, only apparel has benefited from such schemes, specifically from the United States Act. One major challenge facing exporters from least developed countries is the need to meet the rules-of-origin requirements for duty-free access.

[23] The reports on G-20 trade and investment measures by OECD, WTO and UNCTAD show that G-20 member States have enacted or adopted over 1,441 trade-restrictive measures since 2009; only 354 of these measures had been lifted by mid-October 2015.

52. Tariff rates have fallen globally in the last decades and market access conditions for African countries, including least developed countries, are increasingly determined by non-tariff measures such as sanitary and phytosanitary measures and technical barriers to trade. The trade-distorting impact of non-tariff measures facing the key exports of least developed countries, such as textiles and clothing, footwear and agrifood products, amounts to about 10-27 per cent of the tariff equivalent.[24] The trade-distorting impact of sanitary and phytosanitary measures in the European Union, for example, is estimated to reduce low-income countries' agricultural exports by $3 billion more than the export loss experienced by countries that are competing with Africa in the European Union market.

53. There is big potential for African exports of the full implementation of duty-free and quota-free schemes, particularly by India and the United States.[25] In contrast, extending the Chinese scheme would have a modest impact as the bulk of Chinese imports from least developed countries consists of mineral fuels with little or no duty imposed.

Overall assessment and key challenges

54. Key remaining challenges are:

(a) On regional integration, while African RECs and countries have shown political will and promoted the establishment of free trade areas, continued commitments and efforts are required for all REC-level free trade agreements to be operational with a view to establishing a continental free trade area by 2017. The challenges moving forward are to adopt a comprehensive approach, including improving infrastructure, human resources and a trade- and investment-enabling environment; enhance coordination within Government and with the private sector; ensure adequate trade financing and other trade facilities; and ensure adequate cross-regional investment facilitation and promotion;

(b) On export diversification, developing production capacities remains a major challenge. Industrialization is crucial for structural transformation. However, a better understanding of the challenges of achieving positive results from investments in special economic zones is needed;

(c) On market access, key gaps remain in spite of significant progress, including in duty-free and quota-free access for African least developed countries to large emerging markets. Preferential programmes for least developed countries should make the rules of origin simpler and more flexible. Furthermore, increased technical assistance is imperative to reduce trade costs arising from non-tariff barriers, such as sanitary and phytosanitary measures and technical barriers to trade in African countries.

[24] UNCTAD, "Improving market access for the least developed countries in the 2030 Agenda for Sustainable Development", Policy Brief No. 06, October 2015.

[25] See V. Ancharaz, P. Ghisu and J. Wan, "Can India's duty-free scheme foster trade and development in African least developed countries?", *GREAT Insights*, vol. 3, No. 4 (April 2014); and K.A. Elliott, "Restoring US leadership on trade and development", Center for Global Development, CGD Brief, March 2013.

C. Achieving a conflict-free Africa

55. In the Solemn Declaration adopted on the fiftieth anniversary of the Organization of African States/African Union in 2013, participants at the African Union summit reiterated the goal of "silencing the guns by 2020". This goal was reaffirmed in Agenda 2063 and its first 10-year implementation plan, which prioritizes full-operationalization of APSA.

56. Intensified efforts by African countries, supported by their development partners, in conflict prevention, conflict resolution and peacebuilding reflect the recognition that conflicts are major impediments to sustainable development in Africa. Reducing conflicts requires addressing their root causes, including through, inter alia, sustained and inclusive economic growth, poverty eradication, national reconciliation and social cohesion.

Commitment C.1: intensify peace and security cooperation under the African Peace and Security Architecture and institutionalize innovative conflict prevention, management and resolution mechanisms at continental and regional levels as well as support for these efforts through training and funding

Implementation

57. Since its creation in 2002, the African Union has strengthened its conflict prevention, resolution and management capacity through institutional innovations. RECs have also established mechanisms for conflict prevention, peacemaking and peace consolidation. The African Union has established and operationalized the five components of APSA. The Peace and Security Council is the main pillar, supported by the Panel of the Wise, the African Standby Force, the Continental Early Warning System and the Peace Fund. The protocol establishing the Council recognizes the RECs as integral to APSA.

58. The Peace and Security Council authorized peace operations in Burundi (2003), the Central African Republic (2013), the Comoros (2008) and Mali (2013). African Union peacekeepers are operating in the African Union Mission in Somalia (AMISOM) and in the African Union-United Nations Hybrid Operation in Darfur (UNAMID). The Panel of the Wise has undertaken several political consultative and preventive missions, including in the Central African Republic (2007), the Democratic Republic of the Congo (2011), Egypt (2011 and 2012), Kenya (2013), Mali (2012), Senegal (2012), South Africa (2009) and Tunisia (2011 and 2012).

59. The African Capacity for Immediate Response to Crisis, an interim arrangement in preparation for the operationalization of the African Standby Force, was inaugurated in November 2013 but has not been deployed, though four of the five regional standby forces have become operational. The Continental Early Warning System was created to support decision-making and action by the Peace and Security Council to collect and analyse information on potential instability and to propose options. While the Continental Structural Conflict Prevention Framework will guide the African Union Commission in diagnosing structural sources of conflict, country structural vulnerability analysis will help countries undertake self-assessments to identify their vulnerability to conflict, focusing on structural causes and potential drivers of conflict.

60. Subregionally, the African Union has worked with RECs to address conflicts and threats to peace and stability in the Central African Republic, Guinea, Guinea-Bissau, Kenya, Mauritania, Niger, the Sudan and South Sudan.

61. The contribution by African countries to the African Union Peace Fund grew from $2.8 million in 2006 to $5.7 million in 2014, 7 per cent of the African Union regular budget; the target is 12 per cent, as agreed at the special summit of the African Union, held in Tripoli in 2009.[26] The African Union Commission, through the recently appointed African Union High Representative for the Peace Fund, is working on a clear road map to achieve the 25 per cent target for contributions by countries to the African Union's peace operations budget.[27]

62. Several development partners extended support for Africa's efforts in the peace and security area, both bilaterally and through their contributions to United Nations efforts. The European Union, through the African Peace Facility, committed €901 million to support the 2014-2016 action programme for the Facility. Australia, Denmark, Finland, Germany, Japan, the Netherlands, Norway, the Russian Federation, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States and the European Union contributed $34 million towards the $40 million African Union peace and security budget in 2014, which included financial support for the operationalization of APSA; Germany provided €100 million ($111.5 million) for institutional capacity-building. At the Forum on China-Africa Cooperation summit, held in Johannesburg in 2015, China pledged $60 million to support the African Standby Force. In 2015, Turkey began disbursing its yearly $500,000 contribution to APSA.

63. The United States provided training and military equipment to combat terrorism in several African countries. Japan supported 12 peacekeeping operations training centres during the period 2013-2016 and trained African officials in counter-terrorism. Several new and emerging development partners provided assistance to African countries in peace and security by training military or police officers.

Impact

64. The African Union peacekeeping operations launched in Mali and the Central African Republic as well as in Somalia and in the Sudan (Darfur) contributed to stabilization in those countries. The Panel of the Wise, working with the Peace and Security Council and drawing on the Continental Early Warning System, helped mediate political crises through pre-election preventive diplomacy. RECs have increasingly taken a lead role in their subregions to mediate and help reduce political tensions. Africa's partners contributed critically to peace operations by funding over 80 per cent of the African Union's security budget.

[26] *African Peace and Security Architecture (APSA): 2014 Assessment Study*, p. 14.

[27] Press statement PSC/PR/BR.(DLXXXII), 14 March 2016 and Assembly/AU/Dec.561(XXXIV), 15 June 2015.

Commitment C.2: supporting the promotion of good governance and the rule of law, including through the African Peer Review Mechanism, in peacebuilding efforts and peacekeeping operations

Implementation

65. African countries are fostering good governance and the rule of law by subscribing to the African Peer Review Mechanism, various declarations on good governance and democracy, and by conducting periodic elections. Since its inception in 2003, 35 countries have voluntarily acceded to the Mechanism, of which 17 have been peer reviewed. The growing role of civil society and non-governmental organizations in the governance process enables youth and women to become involved in holding public institutions accountable.

66. Having adopted a framework for post-conflict reconstruction and development in 2006 and launching the African Solidarity Initiative for the mobilization of resources for that purpose in 2012, the African Union is strengthening its peacebuilding efforts. The Initiative aims to support post-conflict reconstruction and development activities in Africa by mobilizing both financial and in-kind contributions from stakeholders from within the continent and beyond.

67. The United Nations provides extensive support for Africa's peacebuilding and peacekeeping efforts. All six countries on the agenda of the Peacebuilding Commission are in Africa. The Commission assists these countries in their transition from conflict to peace through political and economic activities, including coherence-building among international stakeholders and advocacy for increased financial support for national peacebuilding efforts. A 10-year review of the United Nations peacebuilding architecture conducted in 2015 culminated in the adoption of resolution 2282 (2016) by the Security Council and resolution 79/262 by the General Assembly, which underlined the need for enhanced support for sustaining peace in countries emerging from conflict. The Peacebuilding Fund had provided financial assistance to 20 African countries by the end of 2015. However, the Fund is experiencing a significant drop in funding, potentially constraining its ability to provide adequate assistance to African countries.

68. The African Union and the United Nations have a strong partnership in peacekeeping operations. Currently, nine United Nations peacekeeping operations are in Africa. The Organization took over the African Union-led peacekeeping operations in Mali and the Central African Republic. The High-level Independent Panel on Peace Operations suggested that the United Nations should deepen its strategic partnership with the African Union and on a case-by-case basis provide enabling support, including through more predictable financing, to African Union peace support operations when authorized by the Security Council, even as the African Union builds its own capacity and resources for that purpose (A/70/95-S/2015/446). The United Nations and the African Union are undertaking an assessment of the mechanisms to support African Union peace operations authorized by the Security Council through a joint framework for an enhanced partnership in peace and security.

69. The United Nations allocated approximately 33.6 per cent of its funding ($376 million out of $1.2 billion) to African countries for special political missions in the period 2014-2015, 76.4 per cent of its funding ($6.3 billion out of $8.3 billion) for peacekeeping operations in 2015-2016 and 82.2 per cent ($512 million out of

$623 million) of its Peacebuilding Fund in the period 2007-2015.[28] The Organization also provides financial assistance to African Union-led missions through trust funds (e.g., the African Union-led missions in Mali and the Central African Republic) or the assessed budget (e.g., logistical support for AMISOM). The European Union, through its African Peace Facility, pays about 80 per cent of AMISOM troop, police and civilian allowances and salaries. Nonetheless, the continuing difficulties in funding AMISOM is illustrative of growing donor fatigue for African Union-led peace operations at a time when the Union has committed to contribute 25 per cent of the cost of those operations.

Impact

70. The African Peer Review Mechanism is helping develop a culture of transparency and accountability in Africa, thus boosting confidence in governance in the region. Its periodic reviews highlight critical issues worthy of special attention.

71. The Peace and Security Council has provided enhanced international support for peacebuilding efforts in conflict-affected African countries. Financial assistance from the Peacebuilding Fund has played a critical role in peacebuilding. For example, the Fund financed projects in Sierra Leone to ensure democratic governance of the security sector; regional justice and security hubs were funded in Liberia; and a project to strengthen community-level early warning and conflict prevention mechanisms was funded in Guinea.

72. Peacekeeping missions in Africa contributed to the stabilization of conflict-affected countries and to building the capacity of the State to protect lives, revive basic social services, and support economic recovery and humanitarian assistance to displaced persons.

Commitment C.3: address drivers of conflict, including trafficking in small arms and light weapons and illicit financial flows from Africa

Implementation

73. Efforts to reduce trafficking in small arms and illicit trade in natural resources reflect the recognition that financial resources from the illicit trade in natural resources are used to purchase the small arms and light weapons that are fuelling conflicts and violence in Africa. In response to the experiences of the Democratic Republic of the Congo, Liberia and Sierra Leone, national and international measures have been adopted to enact, strengthen and enforce national legislation and regulations to prevent illicit trade in small arms and light weapons. Over 30 African countries have established national coordination agencies, 24 keep records on small arms transfers and 31 have small arms records in military or civilian holdings.[29]

[28] See A/70/348, table 8; United Nations Peacekeeping Operations, Fact Sheet, 30 April 2016; and annual allocations from the Peacebuilding Fund, available from http://mptf.undp.org/factsheet/fund/PB000.

[29] Sarah Parker and Katherine Green, *A Decade of Implementing the United Nations Programme of Action on Small Arms and Light Weapons. Analysis of National Reports* (Geneva, United Nations Institute for Disarmament Research, 2012) and national reports on the implementation of the Programme of Action submitted by African countries every two years for the period 2002-2014 to the United Nations Office for Disarmament Affairs.

74. United Nations peacekeeping and special political missions provide technical assistance to African countries to destroy small arms and light weapons and support for security sector reforms and disarmament, demobilization and reintegration of ex-combatants. The European Union extended financial support to the African Union project to fight against illicit firearms in order to strengthen institutional and civil society actors, including African regional police chiefs, through capacity-building and information exchange. France, Japan, the Netherlands, Norway, Spain, Sweden and the European Union provided financial and technical support to develop the ECOWAS Small Arms Control Programme.

75. Illicit financial flows can be both a cause and a consequence of conflict. They can lead to conflict by depriving Governments of revenue for basic social services, undermining confidence in the State and weakening institutions that can settle disputes peacefully. Conflicts create a permissive environment for illicit financial flows through increased corrupt and criminal practices.

76. In its report the High-level Panel on Illicit Financial Flows from Africa estimated that African countries lost over $50 billion a year through illicit financial flows, primarily through commercial transactions, tax evasion and bribery by multinational corporations, criminal activities (trafficking in drugs, people and arms) and corruption. Underreporting of the quantity and quality of natural resources allows rebel groups access to illicit funding to prolong conflicts. Meanwhile, double taxation agreements, if not well managed, can be manipulated to achieve illicit financial flows.

Impact

77. United Nations peacekeeping and special political missions provide assistance for destroying small arms and light weapons, security sector reforms, and disarmament, demobilization and reintegration of ex-combatants in various countries, including by developing security sector reform strategies in Burundi, Côte d'Ivoire, Somalia and South Sudan. Burundi, the Central African Republic, the Democratic Republic of the Congo and Liberia also received support for security sector legislation to enhance parliamentary oversight of security sector institutions, or support for disarmament, demobilization and reintegration to rehabilitate State institutions. The High-level Panel offered a framework and generated momentum for action in curbing illicit financial flows from Africa.

Overall assessment and key challenges

78. Despite significant progress, owing to efforts by the African Union and RECs, with international support, the following challenges remain:

(a) Increased acts of terrorism, representing a rising new threat to peace and stability in Africa, including the Great Lakes Region, the Sahel, the Horn of Africa and North Africa;

(b) Inadequate financial contributions by African Governments to the African Union Peace Fund and consequent inadequate staffing in key institutions of APSA;

(c) Absence of joint mechanisms between African countries and their development partners to monitor double-taxation agreements and tax evasion;

(d) Inadequate institutional and technical capacity to monitor cross-border flows of small arms and light weapons and illicit exploitation and trading of natural resources in conflict-affected and post-conflict countries;

(e) Political exclusion and weak political governance, including corruption and failure to promote broad participation of the population in the political processes, protect human rights, especially of women and youth, sustain national cohesion and deliver basic public services;

(f) Weak support for the implementation of the recommendations in the report of the High-level Panel;

(g) Lack of adequate funding for prevention and peacebuilding efforts, including the Peacebuilding Fund.

D. Gender equality and women's empowerment

79. The three categories of commitment in this section are assessed against the backdrop of the African Women's Decade (2010-2020) and the challenges of achieving Goal 17 of the first 10-year implementation plan of Agenda 2063 as well as Sustainable Development Goal 5. There are many multilateral commitments on gender equality and women's empowerment, starting from the 1979 Convention on the Elimination of All Forms of Discrimination against Women. More recently, the work of the Commission on the Status of Women and the Security Council, in particular resolutions 1325 (2000) and 2242 (2015), are pivotal.

80. African countries have entered into specific commitments, adopting, inter alia, the African Charter on Human and Peoples' Rights in 1981 followed by several declarations and policies on gender equality in Africa. The African Union adopted a gender policy in 2009 and in 2014, the Addis Ababa Declaration on Accelerating the Implementation of the Beijing Platform for Action. The African Union designated both 2015 and 2016 as years for women in Africa.

Commitment D.1: provide policy and financial support to the achievement of gender equality and women's empowerment

Implementation

81. As acknowledged in the African Union Fiftieth Anniversary Solemn Declaration, the contribution of African women is indispensable (aspiration 6 of Agenda 2063), and African Governments have committed to achieve full gender equality in all spheres, addressing women's and girls' empowerment and ending violence and discrimination against them.

82. In accordance with this commitment,[30] African Governments continue to implement legislative reforms on women's human rights,[31] gender-targeted initiatives and policies, gender mainstreaming to achieve gender equality, promotion

[30] As recalled in the "Declaration on 2015 Year of Women's Empowerment and Development Towards Africa's Agenda 2063" (Assembly/AU/Decl.1(XXV)), the African Union gender architecture includes all past decisions and declarations on gender equality and women's empowerment and related global policies, including the Convention on Elimination of All Forms of Discrimination against Women and Security Council resolution 1325 (2000).

[31] Gender equality is sometimes enshrined in national constitutions, as in Egypt.

of women's political participation and gender institutional mechanisms such as specific ministries or departments, networks, gender desks, interministerial committees and special funds.[32]

83. African countries make efforts to focus budgetary support on women's access to social services, particularly in education and health. Nine countries have adopted gender-responsive budgeting to identify gender-differentiated impact in government programming and budgeting.[33]

84. Gender-marked ODA from DAC members to Africa, growing at an annual rate of 6 per cent, increased by 28.7 per cent from 2010 to 2014 to reach $14 billion in 2014,[34] focusing on education, health and participation in public institutions. Further attention is needed in the areas of physical and psychological integrity of girls and women, and women's participation in peacebuilding processes.[35] However, almost 78 per cent of gender-marked ODA from DAC members relates to activities that contribute only indirectly to gender equality,[36] and no information is available from non-DAC members.

85. Consultations with new and emerging development partners revealed that support for gender equality is one of their principal objectives and their cooperation includes significant initiatives that support women and gender equality.[37]

Impact

86. With the focus of national policies and ODA on gender gaps in social services, significant results were achieved in education and health. In 25 out of 39 countries for which data are available, net enrolment ratios in primary education reached 80 per cent or above in 2012, with almost universal parity in Northern Africa, on track to achieve Sustainable Development Goal 5. In sub-Saharan Africa, girls' enrolment in primary school increased by 18 per cent between 2000 and 2012.

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[32] ECA, African Centre for Gender and Social Development, *Recent Trends in National Mechanisms for Gender Equality in Africa* (n.d.).

[33] Ethiopia, Ghana, Mauritius, Morocco, Rwanda, South Africa, Uganda, United Republic of Tanzania and Zimbabwe. ECA, "Twenty-year review of the implementation of the Beijing Declaration and Platform for Action: Africa regional review summary report 1995-2014", para. 19.

[34] According to the OECD/DAC gender equality policy marker, activities marked as "principal" are gender-targeted initiatives that pursue gender equality as their principal objective, while activities marked as "significant" are those that have another socially relevant objective (not a gender-related purpose), however beneficial to women and other social groups.

[35] These are the thematic areas of the European Union's new Gender Action Plan 2016-2020, which aims to ensure that 85 per cent of its programmes will contain gender-specific or gender-sensitive action by the year 2020.

[36] The component of ODA aiming at gender equality as the principal objective (22 per cent of gender-marked ODA) grew by 21.1 per cent annually between 2010 and 2014, reflecting increased gender targeting.

[37] Examples of such bilateral cooperation are the Women Forum in the context of the Forum on China-Africa Cooperation, the mechanism that Africa and India agreed to create to enable women's groups to access credit, the emphasis placed by the Turkish Cooperation and Coordination Agency on initiatives related to women's empowerment at the meeting of the High-level Partnership Forum on Somalia held in Istanbul in February 2016, and the support of Brazil for several gender-responsive interventions in Africa, such as the Bolsa Familia conditional cash transfer programme.

Progress was lower at the secondary level, where 12 countries reached parity,[38] and in tertiary education, where 8 countries reached parity in 2010.[39] Maternal mortality declined by 47 per cent between 1990 and 2013, from 870 to 460 deaths per 100,000 live births. The Millennium Development Goals target of a 75 per cent reduction of the maternal mortality rate between 1990 and 2015 was missed, owing to a high number of adolescent pregnancies and fewer skilled birth attendants.

87. Although gender-responsive budgeting has been piloted in a few sectors and countries, its broader application requires gender-disaggregated data, dialogue with civil society organizations and better interaction between line ministries and budgetary and planning authorities and between central and local governments, as in most countries budget lines are not gender-sensitive.

88. Women's participation in politics has improved, except at the village level. Female presidents have been elected in three countries,[40] and most countries have increased women's participation in national parliaments with nine countries reaching more than 30 per cent representation and Rwanda reaching an unprecedented 64 per cent. In sub-Saharan Africa, women's representation in parliaments rose from 13 to 21 per cent from 2000 to 2013.[41] Northern Africa, which started from a lower base (3 per cent representation), recorded even faster growth, to between 18 and 20 per cent, in the same period.

Commitment D.2: support the promotion of women's economic empowerment in all economic activities

Implementation

89. Women's economic role has benefited from Africa's sustained growth, improved education and health, and improved legal protection of economic and labour rights. Implementation of formal laws, however, often faces cultural resistance, especially in rural environments.

90. Gender-targeted national programmes and special funds, often supported by development partners, were established to support women's income-generating activities, including (a) promotion of women-led small and medium enterprises; (b) microcredit schemes and grants; (c) job creation targeting women; (d) improved access to land and technology; (e) strengthening management skills; (f) women's networking in cross-border trade; and (g) preferential treatment of women-led firms in government procurement.

91. Women are beneficiaries of non-targeted national programmes, such as rural extension interventions in agricultural and pastoral activities; promotion of small and medium enterprises[42] and entrepreneurial capacity; job creation programmes, including those for youth; vocational training; and labour-intensive public works.

[38] Out of 43 countries for which data are available. The 12 countries are Algeria, Botswana, Cabo Verde, Lesotho, Mauritius, Namibia, Rwanda, Sao Tome and Principe, Seychelles, South Africa, Swaziland and Tunisia. United Nations, *The Millennium Development Goals Report 2014*, p. 43.

[39] Out of 36 countries for which data are available. The 8 countries are Algeria, Botswana, Cabo Verde, Lesotho, Mauritania, Namibia, Swaziland and Tunisia. Ibid., p. 44.

[40] Liberia, the Central African Republic and Malawi.

[41] United Nations, *Millennium Development Goals Gender Chart*, special edition, March 2014.

[42] Countries that have established special funds to support women enterprises in this category include Egypt, Ethiopia, Ghana, Kenya, Malawi, Nigeria and South Africa.

Infrastructure development improves women's access to public transport, electricity, water, roads, sanitation and information and communications technologies, reducing the household care burden and making it more compatible with income-generating activities or better jobs.[43] These require gender targeting.

92. Despite technical and financial assistance, actual allocation of aid from DAC members to support women's economic empowerment as the principal objective represents only 2.3 per cent of total gender-marked ODA for Africa.[44] Increased focus is expected on enhancement of girls' and women's empowerment and their social and economic rights, combined with additional support to capacity development and enhanced access to, and control over, financial and non-financial resources.

Impact

93. The subindex on economic participation and opportunities of the Global Gender Gap Index[45] reached 60 per cent in Africa in 2014, up from 56 per cent in 2006,[46] and is higher in sub-Saharan Africa (69 per cent) than in Northern Africa (40 per cent).[47] Five African countries[48] emerge among the 20 best world performers in women's economic participation. Nine countries[49] have an excellent rating in women's labour force participation,[50] while in eight countries[51] women receive salaries equal to or higher than 75 per cent of their male counterparts; Rwanda has reached wage equality for equal work. However, in many countries women continue to be affected by significant wage gaps, in addition to other discriminatory practices and cultural constraints.

94. With broader access to productive resources, progress has been achieved in women's role in value chains in agriculture, agro-industry, handcrafts, trade and artisanal and small-scale mining, as well as through small and medium enterprises, female cooperatives and women's groups. Development partners provided financial assistance and technical cooperation. Female entrepreneurs' fairs and national federations of women entrepreneurs broaden access to credit, markets, technologies

[43] It is estimated that improvements in electricity networks in rural South Africa increased women's employment by 10 per cent in five years. World Bank, *World Development Report 2012: Gender Equality and Development* (Washington, D.C., 2011), p. 155.

[44] Estimates have been calculated by making use of average values for the period 2013-2014 from the OECD/DAC Network on Gender Equality (GENDERNET) database. If we include, in addition to the principal component of ODA, significant activities as well, the percentage of support to women's economic empowerment amounts to approximately14 per cent of total ODA in Africa. This indicates that donors' preferences are directed towards other sectors.

[45] World Economic Forum, *The Global Gender Gap Report 2015* (Geneva, 2015).

[46] ECA, "Twenty-year review", para. 17.

[47] This index covers, inter alia, the economic participation gap (the difference between women and men in labour force participation rates) and the remuneration gap (the estimated female-to-male earned income ratio), and a more qualitative indicator that reflects wage equality for similar work.

[48] Botswana, Burundi, Ghana, Malawi and Rwanda. World Economic Forum, *The Global Gender Gap Report 2015*, table 4.

[49] Burundi, Ghana, Madagascar, Malawi, Mozambique, Rwanda, Uganda, United Republic of Tanzania and Zimbabwe. Ibid.

[50] World Bank, *World Development Report 2012*, box 5.1.

[51] Benin, Burundi, Egypt, Gambia, Ghana, Rwanda, Uganda and Zambia. World Economic Forum, *The Global Gender Gap Report 2015*, table C2.

and capacity development, with the involvement of the private sector, thereby supporting women's employment prospects.[52]

95. Despite encouraging results, significant gaps persist in gender productivity. Female entrepreneurs have smaller-size businesses, facing limited access to productive inputs such as land and credit. The feminization of poverty is prevalent in many countries; African women account for 60 per cent of adults suffering from hunger.

Commitment D.3: support the protection of women and girls from human rights abuses and end any form of gender-based violence, including conflict-related violence and human trafficking

Implementation

96. Many African countries[53] have enacted legislation to protect women against abuse, eliminating discriminatory provisions in existing laws. Several countries introduced legislation to combat female genital mutilation (FGM). In resolutions 67/147 and 69/150 the General Assembly urged Member States to condemn all harmful practices affecting women and girls and to take all necessary measures, especially through educational campaigns, including enacting and enforcing legislation, to prohibit FGM.

97. Twenty countries set up systems to monitor violence against women, with bilateral and multilateral support, and 19 defined a violence prevalence benchmark. Multisectoral initiatives were launched, benefiting from the United Nations Trust Fund to End Violence against Women and the Africa UNiTE campaign. Fourteen countries[54] set up shelters (in urban areas) to protect women against intimate partner violence, sexual violence and FGM.

98. Regarding the protection of women in conflict and post-conflict situations, 16 national action plans and three regional plans have been formulated to put Security Council resolution 1325 (2000) into effect. The Secretary-General's bulletin on special measures (ST/SGB/2003/13) and United Nations disciplinary directives for military contingents, police and military observers emphasized the zero-tolerance policy on sexual exploitation and abuse in peacekeeping and humanitarian work. Those measures have been confirmed with the renewed commitment of the Secretary-General to strictly enforce the zero-tolerance policy in peacekeeping operations, reinforced by the Council in resolution 2242 (2015).

99. Consistent with the focus on the wider human security dimension of the African Union Peace and Security Agenda, the Chair of the African Union Commission appointed a Special Envoy on Women, Peace and Security to improve

[52] Women's share of employment in the industrial sector in sub-Saharan Africa increased from 1992 to 2012 from 5.6 to 6.3 per cent and in the service sector from 23.6 to 31.2 per cent, while in North Africa the share was stable in industry but showed a net increase from 48 to 57 per cent in the service sector. International Labour Organization, *Global Employment Trends for Women* (Geneva, 2012).

[53] Burkina Faso, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Egypt, Ethiopia, Ghana, Kenya, Liberia, Malawi, Nigeria, Rwanda, Sao Tome and Principe, South Africa, Tunisia, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

[54] Algeria, Botswana, Ethiopia, Gambia, Kenya, Lesotho, Mauritius, Namibia, Nigeria, Sierra Leone, Tunisia, Uganda, United Republic of Tanzania and Zimbabwe. ECA, "Twenty-year review", para. 64.

women's participation in the mediation and promotion of peace, political processes and conflict prevention. The Special Envoy is developing a continental results framework on women, peace and security in Africa, following a decision of the African Union Peace and Security Council in 2014 recognizing the importance of engaging women in peace processes, conflict prevention and resolution, national reconciliation and post-conflict rehabilitation. The framework will be a tool for monitoring the implementation by member States and other stakeholders of instruments and commitments to this agenda in Africa and the implementation of Security Council resolutions 1325 (2000) and 2242 (2015).

100. ODA for gender equality within peace and security operations has remained low, at an average of $459 million per year, since 2002. International support to end violence against women is a top priority in the 2030 Agenda, confirming an increased focus on human rights by all partners. DAC members are trying to integrate gender equality into their country programmes, but few allocate sufficient funds to fight violence against women;[55] ODA flows for this purpose are very modest.

Impact

101. The implementation of legislation on human rights and its alignment to regional and international standards face delays and complex cultural challenges, especially in rural areas. Discrimination in national legal systems, particularly around family law, marriage (including age requirements), inheritance, ownership of land, control of productive resources and social norms, is prevalent.[56]

102. New laws allow women victims of violence to bring cases to courts, although cultural constraints frequently hinder their access to justice, causing underreporting and limited convictions of perpetrators. Moreover, in 7 sub-Saharan Africa countries, there are no laws on rape, in 17 others, no laws on domestic violence and in 11 countries, no laws on sexual harassment.[57] Although child marriages are decreasing, they still persist in 30 countries. Despite the decline in the incidence of FGM,[58] progress is uneven and FGM still affects millions of women in 29 African countries. In 8 countries, the incidence of FGM is between 88 per cent and 98 per cent and in 5 others, between 66 per cent and 76 per cent.

Overall assessment and key challenges

103. Significant progress was achieved in gender equality and women's empowerment owing to targeted policy and financial support. However, organizational and institutional weaknesses of gender mechanisms, including lack of coordination between ministries and underresourcing, have limited their impact.

[55] OECD-DAC Network on Gender Equality (GENDERNET), "Financing United Nations Security Council resolution 1325: aid in support of gender equality and women's rights in fragile contexts", March 2015, p. 3.

[56] ECA, "Twenty-year review", paras. 102-103.

[57] OECD Development Centre, *Social Institutions and Gender Index 2014 Synthesis Report*, p. 50.

[58] UNICEF, *Female Genital Mutilation/Cutting: A Statistical Overview and Exploration of the Dynamics of Change* (New York, 2013). The European Union supports programmes as well as the UNFPA-UNICEF Joint Programme on Female Genital Mutilation/Cutting to enhance the African Union's capacity. Senegal, where the number of villages that declared abandonment of these practices increased from 300 to 5,316 between 2008 and 2011, is an example of astonishing progress.

Inadequate involvement of women's organizations in gender-responsive strategic programming and implementation and lack of united local leadership and accountability on gender equality prevail. Reaching the poorest and most marginalized women in Africa is crucial for implementing Sustainable Development Goal 5. Moreover, ODA targeting women's economic empowerment is inadequate.

104. The key challenges are:

(a) Persistence of gender disparities in literacy rates, gaps in secondary and tertiary education,[59] continued prevalence of maternal mortality (Africa accounts for 63 per cent of global maternal deaths) and inadequate capacity development;

(b) Discrimination against women in marriage, inheritance and control over assets/resources, with cultural gender biases leading to weak social acceptability of women's rights to own property; their access to, and control over, land; and their role as autonomous income-earners or their confinement to the informal sector;

(c) Continued violence against women, including conflict-related violence, threatening women's psychological and physical integrity, even after cessation of hostilities, and non-prosecution of perpetuators; FGM is still frequently practised in a few countries;

(d) Persistent cultural and religious barriers to gender equality and women's empowerment;

(e) Inadequate participation by women in peace processes and peacebuilding;

(f) Limited comparable gender-disaggregated data,[60] leading to non-inclusion of gender-equality targets in programming, monitoring and evaluation frameworks;

(g) Inadequate financial, human and organizational support to national gender mechanisms.

IV. Conclusions and recommendations

105. **The priority actions suggested below follow from a thorough assessment based on the United Nations monitoring mechanism core principle of mutual accountability and continued rigorous monitoring by the General Assembly. These actions support the implementation of policy frameworks such as the African Union Agenda 2063 (and its first 10-year implementation plan) and the 2030 Agenda, which complement each other on inclusive and people-centred sustainable development.**

106. **The 2030 Agenda and Agenda 2063 need to build on progress and consider underlying conditions for sustained growth and development. Tackling the pending challenges requires determination, strategic vision and actions, including allocation of adequate and additional domestic and international resources in a harmonized and integrated manner by all stakeholders. Improved monitoring through enhanced data and assessment of results**

[59] ECA, "Twenty-year review", para. 30 and table 2.

[60] Ibid., para. 127.

achieved and challenges encountered will help advance Africa's transformative Agenda 2063.

107. **The recommendations on the four themes of the present report are as follows.**

Infrastructure development

108. **African Governments may consider the need to:**

(a) **Speed up reforms and facilitate local and foreign private sector participation in infrastructure development through enabling regulatory and legal frameworks;**

(b) **Intensify efforts for domestic resource mobilization and access to infrastructure financing, including through innovative sources;**

(c) **Work with regional economic communities, the NEPAD Planning and Coordinating Agency, AfDB and the private sector to lead and coordinate efforts to expand local and subregional capacity for preparation of bankable projects.**

109. **Africa's development partners may consider the need to:**

(a) **Strive to mobilize additional resources, including through multilateral development banks, for infrastructure, in accordance with their commitments under the Dakar Agenda for Action, the Infrastructure Development Forum and the Addis Ababa Action Agenda;**

(b) **Utilize multilateral institutions to support PIDA, NEPAD, the African Union and RECs towards accelerating infrastructure development;**

(c) **Increase their support for the preparation of bankable projects and implementation capacity in African countries and RECs;**

(d) **Support the implementation of the priority projects of Agenda 2063, particularly those related to infrastructure development, such as the high-speed train and the unified airspace.**

Trade

110. **African Governments may consider the need to:**

(a) **Accelerate the establishment of the continental free trade area by 2017 to boost intra-African trade and to promote regional integration, industrialization and structural transformation;**

(b) **Take a comprehensive approach to trade, including trade finance and trade facilitation measures such as simplified customs practices, freedom of movement and harmonized rules of origin, to further expand intraregional trade;**

(c) **Address investment constraints and engage in cross-regional investment facilitation and promotion efforts;**

(d) **Address supply-side constraints by enhancing productive capacities and reducing constraints on the private sector to help diversify the export base;**

(e) Support the establishment of small and medium enterprises to ensure the involvement of women and youth in trade.

111. **Africa's development partners may consider the need to:**

(a) Coordinate, bilaterally and multilaterally, to improve the effectiveness and efficiency of trade-related technical assistance, reducing trade costs and focusing on a value-chain perspective for African least developed countries;

(b) Enhance the transparency of procedural and regulatory requirements that may act as non-tariff barriers to African exporters and provide African countries with assistance targeted to overcome their relatively higher cost of compliance with non-tariff measures;

(c) Intensify their support for building Africa's productive capacity and services and industrial sectors to underpin Africa's structural transformation and enhance employment;

(d) Strive to dismantle restrictive trade measures imposed since the financial crisis of 2008 and refrain from adding new trade restrictions;

(e) Support the development, transfer and dissemination of environmentally sound technologies to African countries on favourable terms, to help Africa improve its trade capacity and export diversification towards products with a higher technological content in a sustainable manner;

(f) Support African countries' reform efforts relating to international investment agreements and associated regional integration initiatives.

Achieving a conflict-free Africa

112. **African Governments may consider the need to:**

(a) Support African Union peace operations by further strengthening APSA, ensuring that all subregional standby forces are fully operational, and achieve the African Union goal of contributing 25 per cent of the cost of African Union-led peace operations;

(b) Address the root causes of conflict and violent extremism, including high poverty and unemployment and marginalization due to economic and political exclusion;

(c) Support the United Nations Global Counter-Terrorism Strategy; strengthen regional cooperation, including intelligence and information sharing on suspected arms traffickers, trafficking routes and suspected diversion activities across porous African borders; and ratify or accede to the African Union Convention on Cross-Border Cooperation (Niamey Convention);

(d) Strengthen institutional capacities to curb illicit trade in natural resources and to end all forms of illicit financial flows from Africa.

113. **Africa's development partners may consider the need to:**

(a) Strengthen the strategic partnership between the United Nations and the African Union, including predictable funding for joint initiatives in early warning, peacekeeping and peacebuilding;

(b) **Sustain assistance for African Union peace operations and training of peacekeepers and law enforcement and security agencies;**

(c) **Support the African Union to enhance its capacity for preventive diplomacy and strengthen the African Peer Review Mechanism financially and logistically to improve governance;**

(d) **Support African efforts in addressing the root causes of conflict and violent extremism through economic and financial assistance, intelligence sharing and creating youth employment;**

(e) **Support the decision of the African Union by fully implementing the recommendations of the High-level Panel on Illicit Financial Flows from Africa, providing financial and training support to African countries in monitoring, detecting and preventing illicit financial flows;**

(f) **Increase financial contributions to the Peacebuilding Fund and to African countries on the agenda of the Peacebuilding Commission;**

(g) **Support the involvement of women and youth in peacekeeping and peacebuilding.**

Gender equality and women's empowerment

114. **African Governments may consider the need to:**

(a) **Implement strategies and legislation for women's empowerment, enhance their political and economic participation, promote respect for human rights and freedoms and introduce necessary reforms in laws relating to the family and violence against women, in line with the 2030 Agenda and Agenda 2063, while pursuing, inter alia, peace and security, efficient governance, rule of law and sustainable institution building;**

(b) **Adopt reforms to improve women's economic rights, including access and control over means of production, land, property, finance, inheritance and adequate employment opportunities, increasing the allocation of resources for gender-targeted actions, mainstreaming a gender perspective in development policies and adopting gender-responsive budgeting;**

(c) **Ensure adequate financial support to budgets of national gender mechanisms and ministries and engage key national institutions to integrate women's rights across all arms of government;**

(d) **Support women's movements and organizations in Africa and encourage their involvement in formulating and implementing a gender agenda, ensuring coordination and accountability, with broad participation of stakeholders, including civil society organizations and the private sector.**

115. **Africa's development partners may consider the need to:**

(a) **Financially support African countries in their efforts to achieve gender equality and women's empowerment through gender-targeted interventions and mainstreaming gender in their cooperation programmes, including by supporting women's organizations;**

(b) **Prioritize in their international cooperation areas such as women's economic empowerment, protection of women from human rights abuses and ending violence against women;**

(c) **Target gender equality and women's participation within peace and security operations in conflict and post-conflict situations;**

(d) **Support African Union efforts to improve gender-disaggregated data at the national and local levels, establishing databases and information systems such as the African Union Gender Scorecard;**

(e) **Support African Union efforts in the field of women, peace and security, including the activities of the Special Envoy of the African Union Commission on Women, Peace and Security and other activities of the African Union Directorate of Women, Gender and Development.**

116. **The United Nations and the African Union should work together to implement Security Council resolution 1325 (2000) and its follow-up, ensuring adequate coordination between the gender equality agenda and peace and security efforts.**